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ACT OF INCORPORATION,
 Declaration, Constitution,
 RULES, CANONS AND BY-LAWS

—OF THE—

SYNOD

—OF THE—

Diocese of Niagara,

WITH STANDING RESOLUTIONS, &c.

Being a "HANDY BOOK" of the Proceedings of
 the Synod from its formation in 1873
 to 1886 inclusive:

—ALSO—

The CONSTITUTION, RULES and CANONS of
 the PROVINCIAL SYNOD,

—AND—

SUNDRY ACTS OF PARLIAMENT AFFECTING
 ECCLESIASTICAL RIGHTS.

HAMILTON:
 TIMES PRINTING COMPANY, HUGHSON STREET.

1887.

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My Act of 1904
repealed by Act of 1906

Act of 1906
repealed by Act of 1908

Act of 1908
repealed by Act of 1910

Act of 1910
repealed by Act of 1912

Act of 1912
repealed by Act of 1914

Act of 1914
repealed by Act of 1916

Act of 1916
repealed by Act of 1918

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Act of 1936
repealed by Act of 1938

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1, The Act of Incorporation of Synod, Handy Book...	5
2, Amendments to same (Journal for 1891, page.....)	77
(Journal for 1892, page.....)	80
3, Constitution of Synod, Journal for 1892.....	73
4, Rules of Order, Handy Book.....	24

Canons & By-laws

1, On Vestries, Journal for 1893.....	89
2, Commutation Trust Fund, Journal for 1894.....	87
3, Aged & Disabled Clergy Fund, Journal for 1894...	90
4, W. & O. Fund, Journal for 1893.....	86
5, Selling & Mortgaging church property, 1886.....	69
Amendment to same, Journal 1891.....	73
6, The Discipline of the Clergy, Handy Book.....	30
7, Missionary Meetings, Handy Book.....	49
8, Mission Fund, Journal 1895.....	100
9, Divinity Students, Journal 1895.....	101

Resolutions (important ones)

1, On duties of auditors, Journal 1894.....	33
2, On arrangements with Bank, Journal 1893...41.& 66	
3, On General Expense Acct.&c., Journal 1893, 42, 66, 44	
4, Investments, Journal 1893.....	42
5, On method of keeping & confirming minutes, (Journal 1895....)	41
6, To amend Act of Incorporation, Journal 1894.....	87



RESOLUTIONS.

In the Ninth Session of Synod, June, 1883.

That the Honorary Secretaries of the Synod be requested to prepare for publication a book containing the Act of Incorporation of the Synod, the Constitution as it at present stands, the standing resolutions of the Synod, the various By-laws and Canons as amended, and generally such other information as they may deem advisable.—1883, p. 52.

In the Tenth Session of Synod, June, 1884.

That 500 copies of the Handy Book, prepared by the secretaries, as ordered by Synod last year, be printed, and that they be sold at a charge of twenty-five cents per copy.—1884, p. 61.

In accordance with the above Resolutions, the present book is prepared.

C. H. MOCKRIDGE, D. D.
J. J. MASON.

OFFICERS of the NIAGARA DIOCESAN SYNOD, from 1875 to 1886,
(BOTH INCLUSIVE.)

PRESIDENTS.

1875. RIGHT REV. THOS. BROCK FULLER, D. D., D. C. L.,
 FIRST BISHOP OF NIAGARA.
1885. RIGHT REV. CHARLES HAMILTON, D. D., D. C. L.,
 SECOND BISHOP OF NIAGARA.

BISHOP'S ASSESSORS.

1875. VERY REV. DEAN GEDDES, D. C. L.
 VEN. ARCHDEACON McMURRAY, D. D., D. C. L.
1876. VEN. ARCHDEACON McMURRAY, D. D., D. C. L.
 REV. CANON READ, D. D.
1877. VERY REV. DEAN GEDDES, D. C. L.
 VEN. ARCHDEACON McMURRAY, D. D., D. C. L.
1880. VEN. ARCHDEACON McMURRAY, D. D., D. C. L.
 REV. CANON READ, D. D.
1885. VEN. ARCHDEACON McMURRAY, D. D., D. C. L.
 VEN. ARCHDEACON DIXON, B. A.
 REV. CANON READ, D. D.

CHANCELLOR OF THE DIOCESE.

1875. EDWARD MARTIN, ESQ., Q. C.

REGISTRAR OF THE DIOCESE.

1875. F. E. KILVERT, ESQ.

HONORARY CLERICAL SECRETARIES.

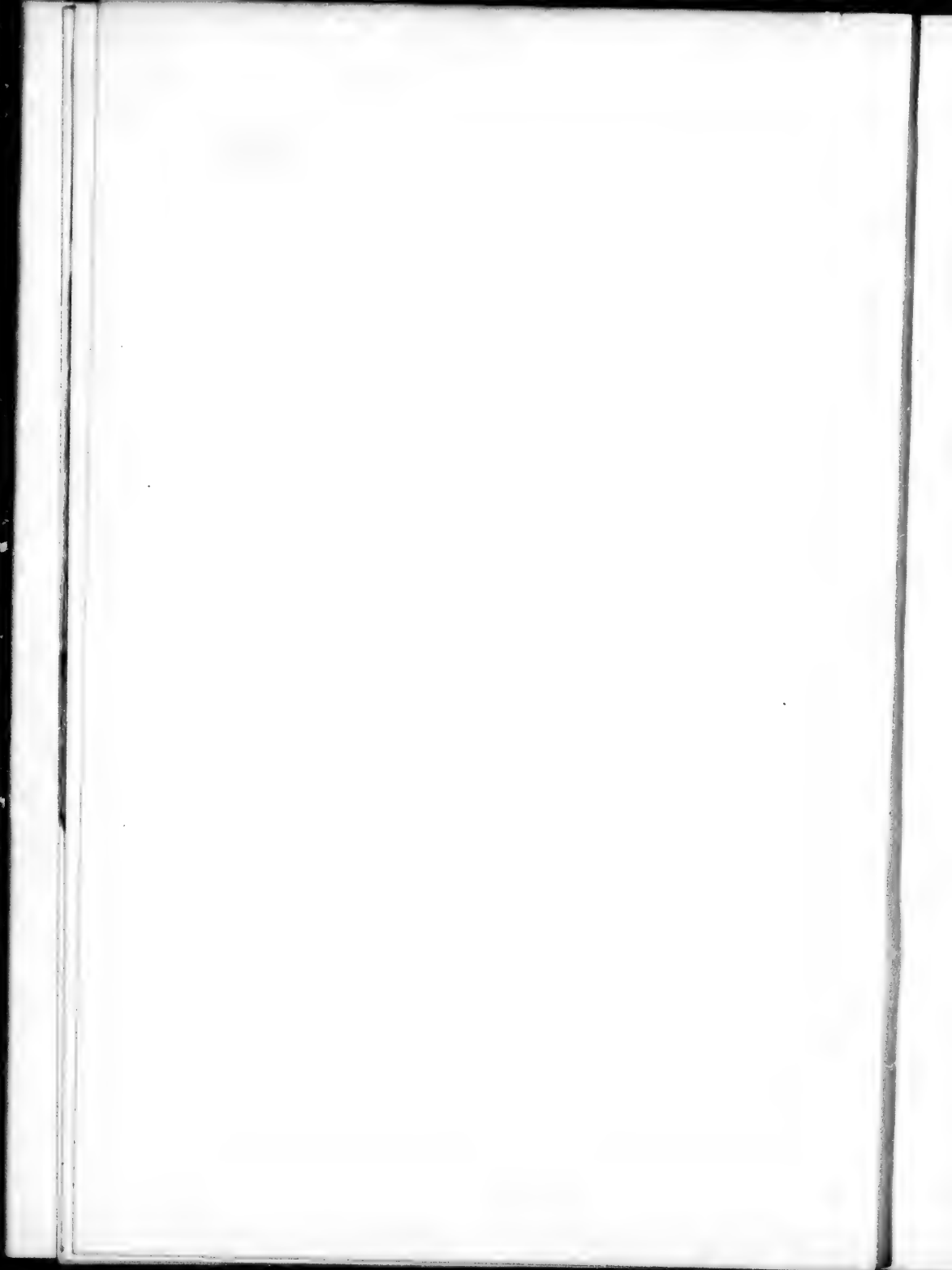
1875. REV. D. I. F. MACLEOD, M. A.
1879. REV. C. E. THOMSON, M. A.
1880. REV. C. E. WHITCOMBE.
1881. REV. C. H. MOCKRIDGE, D. D.
1886. REV. W. R. CLARK, M. A.

HONORARY LAY SECRETARIES.

1875. F. W. GATES, ESQ.
1878 J. J. MASON, ESQ.

SECRETARY-TREASURER.

1875. J. J. MASON.



ACT OF INCORPORATION.

ONTARIO STATUTES, 39th VICTORIA, CAP. CVII.

An Act to Incorporate the Synod of the Diocese of Niagara.

(Assented to 10th February, 1876.)

Whereas the Synod of the Church of England of the Diocese of Niagara have petitioned for an Act for the Incorporation of the said Synod; And whereas it will greatly facilitate the objects for which the said Synod was established to grant the prayer of the said petitioners;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The Synod of the Church of England of the Diocese of Niagara shall be and the same is hereby incorporated by the name of "The Synod of the Diocese of Niagara."

2. The said incorporated Synod shall consist of the Bishop of the said Diocese, who shall be the head of the Synod, and any Suffragan or Coadjutor Bishop thereof, the Priests and Deacons of the same, licensed by the Bishop or Suffragan, and the Lay Delegates or Representatives elected, or to be elected, according to the Constitution of the said Synod, as the same exists at the time of this Act, or as it may from time to time be altered by the said Synod.

3. All property of what nature or kind soever now held by the Synod of the Diocese of Toronto, or by the Lord Bishop of Toronto, or which may hereafter be acquired by the said Synod or by any person or corporation, and of right belonging, or which may hereafter belong to the Diocese of Niagara, may by such person or corporation be conveyed to the Synod of the said Diocese, and thenceforth the said Synod shall perform the trusts relating thereto, if any there be, and the person or corporation so conveying such property, shall be discharged from such trusts.

To be held
on certain
trusts.

4. All lands, moneys, mortgages and securities, which, under the authority of this Act, shall be invested in the Incorporated Synod of the Diocese of Niagara, shall by the said Incorporated Synod be held upon, to and for the uses, trusts, interests and purposes for which the same was heretofore held by the person or corporation holding the same, and the said Incorporated Synod may sell and dispose absolutely of any such lands, mortgages and securities, as in the Act mentioned, or any other lands, mortgages and securities, which shall, after the passing of this Act, be received, held or acquired by the said Incorporated Synod, and shall have and hold the proceeds of such lands, mortgages and securities upon the same trust as the said lands, mortgages and securities had been before held, and no purchaser shall be liable for the application of any moneys paid by him on any sale under the provisions of this Act.

Powers of
Synod.

5. The said Synod shall have all the powers, rights, privileges and franchises conferred upon Synods under the Act passed in the session held in the nineteenth and twentieth years of Her Majesty's reign, intituled "An Act to enable members of the United Church of England and Ireland to meet in Synod," as well as those conferred upon the late Incorporated Church Society by the several Acts of the Legislature of the Provinces of Upper Canada and of Canada relating to the said Church Society, and to enforce all rights and claims which either said Synod or Society could enforce against any person or persons whatsoever, body or bodies corporate, or otherwise howsoever.

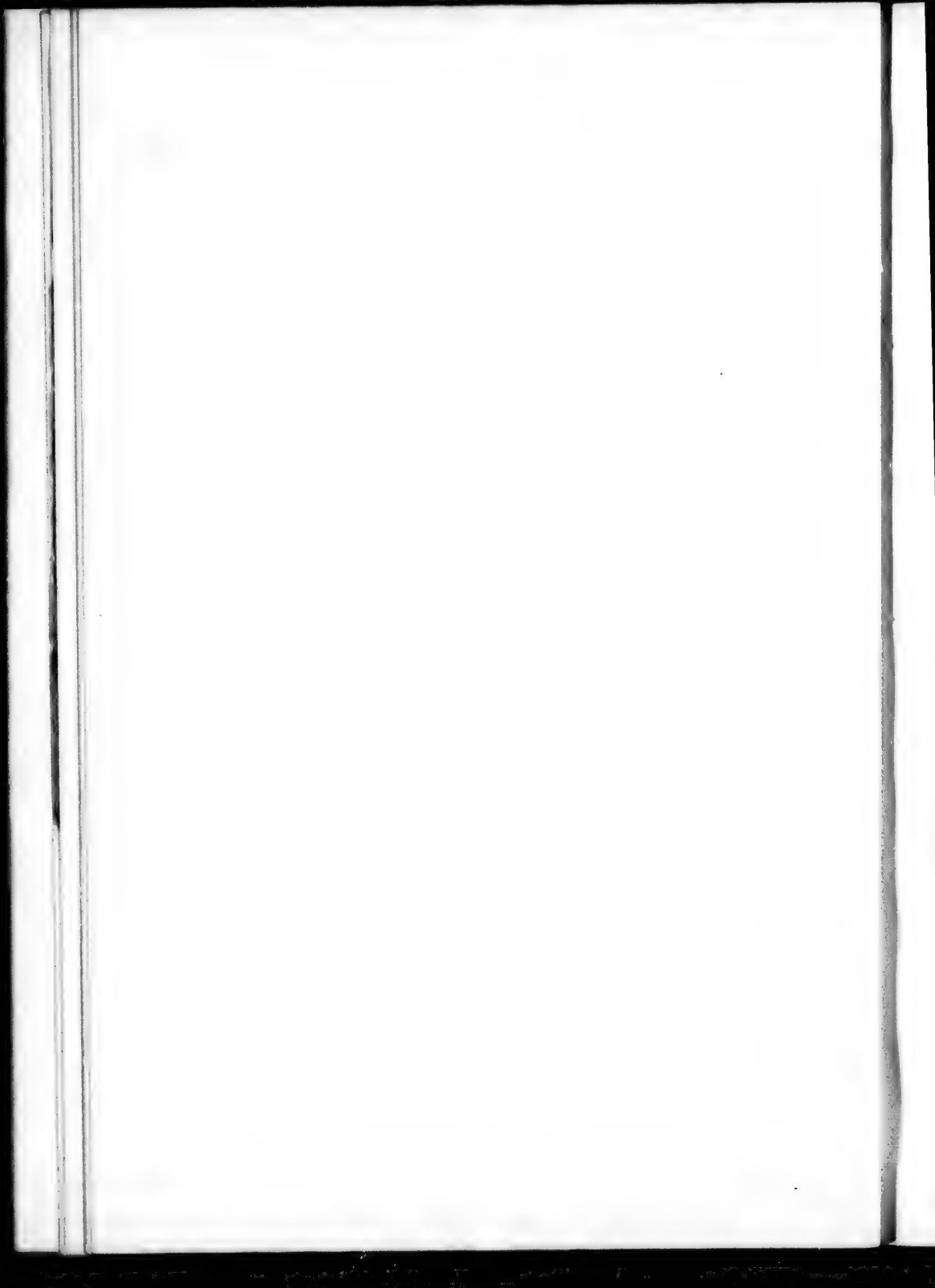
Power to
make
Canons, By-
laws, etc.

6. The said Synod shall have full power and authority to make such canons, rules, regulations and by-laws, and from time to time, as necessity may require, to alter and amend the same, as by the said Synod may be considered necessary in the exercise of the powers conferred upon said Synod under the said Acts, or any of them, and also for the conduct of their proceedings, regulation of their members, and all such other matters as may pertain to the proper and orderly discharge of their business, and also, notwithstanding anything contained in an Act of the Parliament of the Province of Upper Canada, passed in the third year of the reign of Her Majesty Queen Victoria, Chaptered Seventy-four, and known as the "Church Temporalities Act," or in an Act of the Parliament of the Province of Canada, passed in the session held in the twenty-ninth and thirtieth years of the reign of Her said Majesty, Chaptered Fifteen, and known as "The Church Temporalities Amendment Act," the said Synod shall have full power and authority to make rules, regulations and by-laws for the management of all the affairs of the said Diocese of Niagara.

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7. And it is hereby enacted, that the Incumbent and Church Wardens appointed under the rules and regulations of the said Synod, may hold such real estate as may be given, granted or devised to them for the use of their Church, as a site for a Church, or Parsonage, or School-house, and may from time to time, with the approval of their Vestry, signified by a resolution passed at a meeting of such Vestry, specially called for that purpose, mortgage such real estate for the purpose of raising money to be expended in the erection thereon of a Church, a Parsonage or a School-house, as the case may be. Provided, however, that such resolution be confirmed at a Vestry meeting called not less than a fortnight after such meeting of Vestry specially summoned to consider such resolution.

Power to hold land.

8. The said Synod may exercise all its powers by and through such Boards or Committees as the said Synod may from time to time appoint by by-law or by-laws, for the management of all or any of the affairs or property of the said Synod.

Boards and Committees of Synods.

9. The said Synod may appoint and remove all such officers as may be found necessary for the management of the affairs and business of the said Synod, and provide for their remuneration, and may remove the same and appoint others in their stead.

Appointment and removal of Officers.

10. The said Synod shall invest all or any of the funds intrusted to its care, including those derived from the sale of Rectory lands, only in Government securities or Municipal debentures, with power to vary any such investments from time to time for others of a like nature, but nothing in this Act contained shall be construed to give the said Incorporated Synod power or authority to apply the income derived from any such investments, otherwise than in strict accordance with the special trusts relating to such funds respectively.

Investment of funds.

DECLARATION

ON THE PART OF THE INCORPORATED
SYNOD OF THE

DIocese OF NIAGARA.

I.

We, the Bishop, the Clergy, and Representatives of the Laity of the Church of England, within the Diocese of Niagara, assembled in Synod, and intending under God's blessing and guidance to consider and determine upon such matters as shall appear necessary for the welfare of the Church in this Diocese, desire, in the first place, publicly to declare the principles upon which we purpose to proceed.

II.

We desire that the Church in the Dominion of Canada shall continue as it has been—an integral portion of the Church of England. As members of that Church we recognize the true canon of Holy Scripture as received by that Church to be the rule and standard of Faith. We acknowledge the Book of Common Prayer and Sacraments, together with the Thirty-nine Articles of Religion, to be the true and faithful declaration of the doctrines contained in Holy Scripture. We maintain the form of Church Government by Bishops, Priests and Deacons as Scriptural and Apostolical, and we declare our firm and unanimous resolution in dependence on divine aid, to preserve those doctrines and that form of Church Government, and to transmit them unimpaired to our posterity.

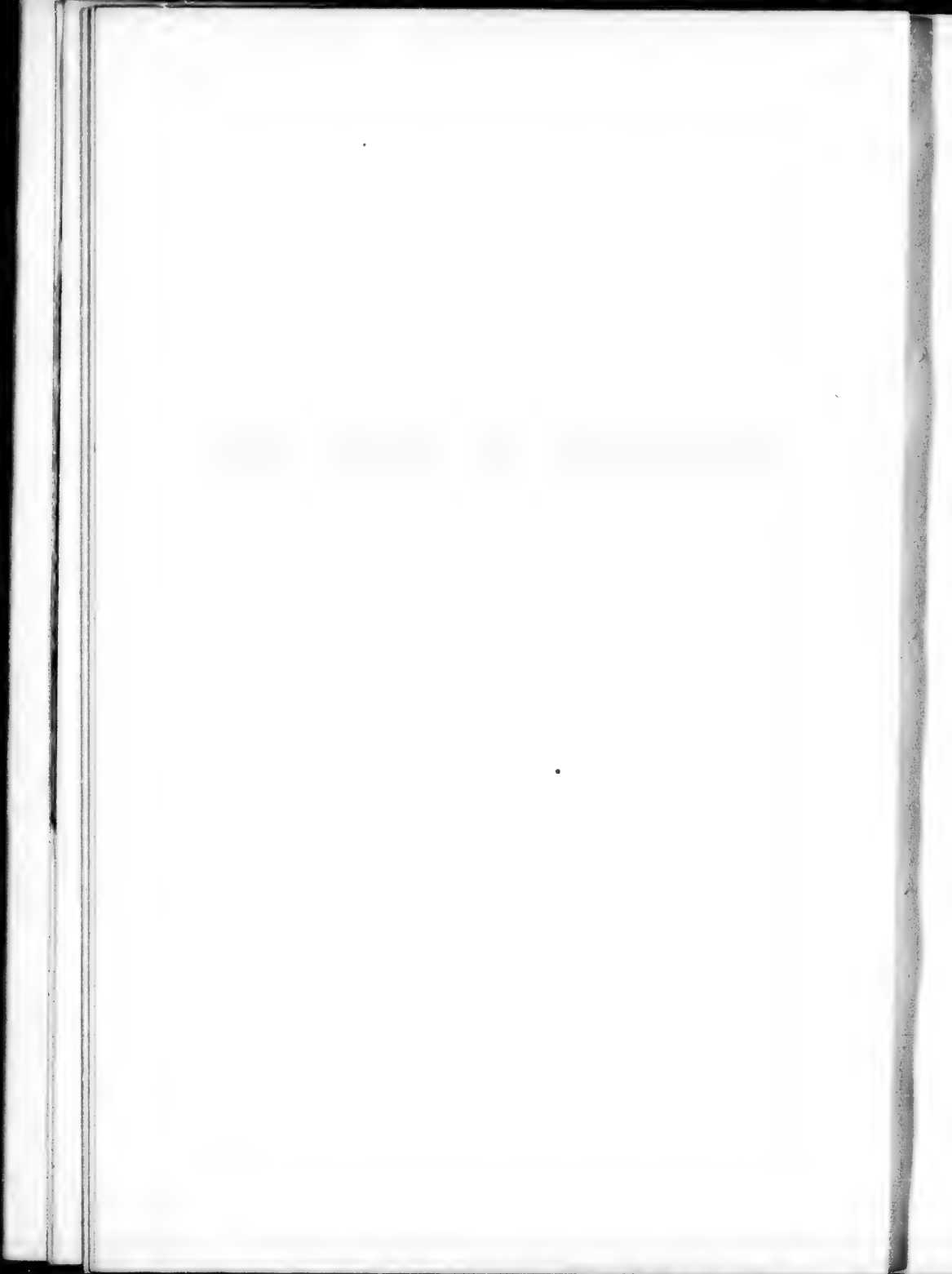
In particular, we uphold the ancient doctrine of our Church, that the Queen is rightly possessed of the chief government or supremacy over all persons within her dominions, in all causes whether ecclesiastical or civil, and we desire that such supremacy should continue unimpaired.

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III.

It is our earnest wish and determination to confine our deliberations and action to matters of discipline, to the temporalities of the Church, and to such regulations of order as may tend to her efficiency and extension ; and we desire no control or authority over any but those who are or shall be members of the Church of England.

We conceive that the following and such like objects may fitly come under our consideration, and lead to action on our part, in subordination to the Provincial Synod in matters belonging properly to its jurisdiction :—

1. To frame a constitution for the Synod of this Diocese, and to regulate the time and place of its meetings, and the order and manner of its proceedings.
2. To provide for the proper exercise of ecclesiastical discipline in regard both to Clergy and Laity.
3. To provide for the extension and temporal well-being of the Church and the support of the Clergy, Lay Readers and School-Masters ; for the maintenance of Public Worship, and the diffusion of a sound, religious education.
4. To promote and regulate the building and consecration of Churches, and the erection of Parsonages and School-houses.
5. To provide for the collection of funds for Missionary objects beyond the bounds of the Diocese.
6. To provide for the division of the Diocese into Parishes, with regulations for future sub-divisions.
7. To provide fit regulations for the appointment of Bishops, Priests and Deacons.
8. To regulate the fees for Marriages and other offices of the Church.
9. To provide for the division of the Diocese into new Dioceses when deemed necessary.
10. To procure from the Legislature any laws or modification of laws which the circumstances of the Church may require.

IV.

In conclusion we humbly pray that the God of Unity and Peace may be with us, and so chasten our affections, purify our motives, and guide our judgment, that we may be enabled to contribute to the efficiency, concord and stability of the Church in this land.—
1876, p. 40.

CONSTITUTION

OF THE INCORPORATED SYNOD OF THE

DIOCESE OF NIAGARA.

The Incorporated Synod of the Diocese of Niagara shall consist of the Bishop of the Diocese, who shall be the head of the Synod, and any Suffragan or Co-adjutor Bishop thereof, the Priests and Deacons of the same, licensed by the Bishop or Suffragan, and the Lay Representatives, to be elected as hereinafter provided.—1876, p. 40.

II.

The Lay Representatives of each parish or cure shall be male communicants of at least one year's standing, of the full age of twenty-one years, who have been habitual worshippers with the congregation of the said Cure or Parish for which they are chosen representatives. They shall be elected as hereinafter provided, at the annual Easter meeting held by each Minister having a separate cure of souls, or at any meeting specially called for that purpose. In the event of their being a temporary vacancy in any Incumbency owing to death, or other cause, it shall, notwithstanding, be lawful for the Congregation to meet for such election at such time and place as the Church Wardens shall appoint for the purpose. And all Laymen within the Cure of twenty-one years of age or upwards, who shall annually sign a Declaration, in the form following, shall have the right of voting at the election :—

"I———, solemnly declare that I am a member of "the Church of England; that I am an habitual worshipper with "this congregation, [naming it,] and have not voted as a member "of any other congregation within the year."

The number of Lay Representatives to be elected within the Cure or Mission shall be three, to serve as hereinafter provided. The first on the list of the representatives, returned as elected at the Easter next ensuing, shall serve for three years, the second so returned shall serve for two years; and the last so returned shall serve for one year, and they shall be eligible for re-election. In

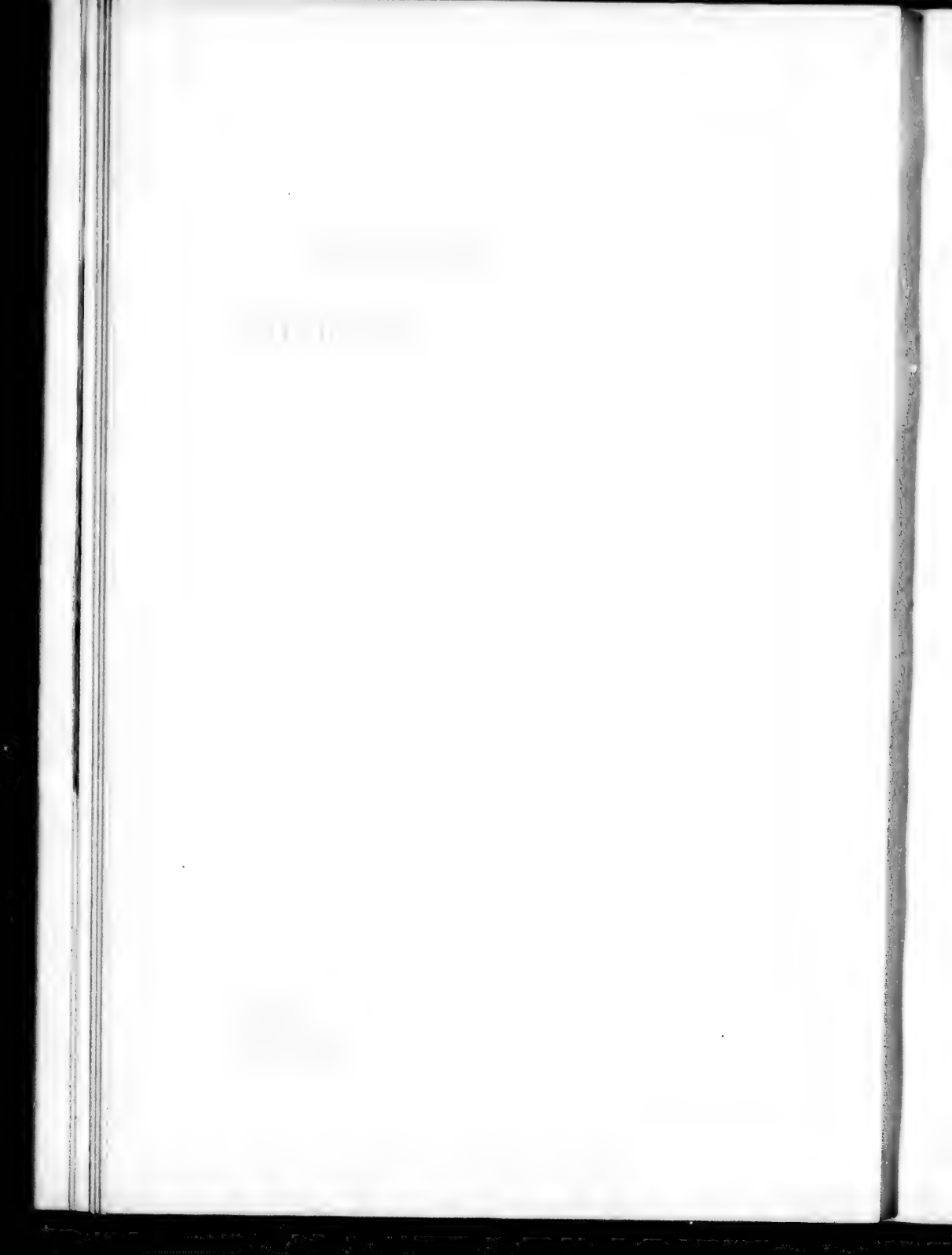
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each succeeding year one representative shall be elected to serve for three years.

In case there be two congregations in any Parish or Mission the larger congregation shall have the right to elect two representatives, and the smaller congregation one. In case there shall be three congregations in any Cure, each congregation shall be entitled to elect one representative, and in case there be four or more congregations in any Cure, the largest, as well as the next to the largest congregation shall each elect one representative, and the remaining congregations shall have the right to unite and elect the third representative.

Provided always, that the Chancellor and Registrar of the Diocese, notwithstanding the provisions of this Section with reference to communicating or worshipping with the Parish which may elect them, if otherwise eligible, may be elected as Lay Delegates by any Parish in the Diocese.—1876, p. 41.

III.

No person who has received Holy Orders shall be eligible for election as a Representative of the Laity, and any Lay Representative, who shall cease to be an habitual worshipper with the congregation which he represents, or fails to communicate at least three times each year in the parish which he represents, shall, at the annual Easter meeting or any regular meeting for the election of Representatives, on the announcement of the fact by the Chairman, cease to hold the office of Lay Representative, and another shall be elected, in accordance with the rules herein laid down, to serve for the unexpired portion of the term for which he was elected.—1876, p. 42.

IV.

The Minister himself, if present, shall preside at the election and in his absence the Curate or Assistant Minister (if there be one); or, in case neither the Minister nor his Assistant be present, or if there be a temporary vacancy in the Incumbency, a Chairman to be elected by a majority of the electors present shall preside.—1876, p. 42.

V.

Within ten days after such election the Chairman of the meeting shall send to the Secretary-Treasurer the amount assessed on the Parish or Cure, as hereinafter provided, together with a certificate of such election, with the P. O. address of each Lay Representative, according to the following form, which shall be supplied by the Secretary-Treasurer of the Diocese:

"This is to certify, that at a meeting held on the—day of

—A. D., 18—, for the purpose of electing a Lay Representative (or Lay Representatives), in Synod, for the Cure or Parish of ———, A. B. (C. D. and E. F.,) being a Communicant (or Communicants) of at least one year's standing, of the full age of twenty-one years, who has (or have) been an habitual worshipper (or habitual worshippers,) with the congregation; and has (or have) communicated at least three times during the twelve months previous to the election in the Cure or Parish aforesaid, was (or were) elected by the Laymen within this Cure, who have the right to vote at such election, by virtue of having signed the Declaration provided in Section Number Two of the Constitution of the Incorporated Synod of the Diocese of Niagara."

—day of— 18—

Chairman."

"I also forward herewith the assessment of the Parish, being \$——."

And such certificate shall be endorsed as follows:

Hamilton,———

To the Secretaries of the Synod:

Gentlemen,—I have received the Synod Dues of this Parish or cure; you can therefore enter the names of the Lay Representatives on the Synod List.

Your obedient Servant,

Secy-Treas.

Which certificate so endorsed by the Secretary-Treasurer of the Synod shall by him be forwarded to the Secretaries, who shall enter the names of the Lay Representatives on the Synod List, with the P. O. address, to be printed and sent to each member of the Synod, by the Executive Committee, with their order of proceedings.—1876, p. 42.

VI.

The Chairman of the meeting shall also furnish each Representative with a similar Certificate; without it, any person presenting himself as a Representative, shall be required before taking his seat, to afford sufficient proof that the requirements of the Synod have been complied with in his election. All Representatives shall continue in office until the next meeting of the Synod after the election of their successors, or until they have vacated their office, and every Representative resigning his office shall signify such resignation to the Secretary-Treasurer of the Synod, who shall thereupon notify the Incumbent of the Parish of such resignation, in order to a new election being held. Provided, that

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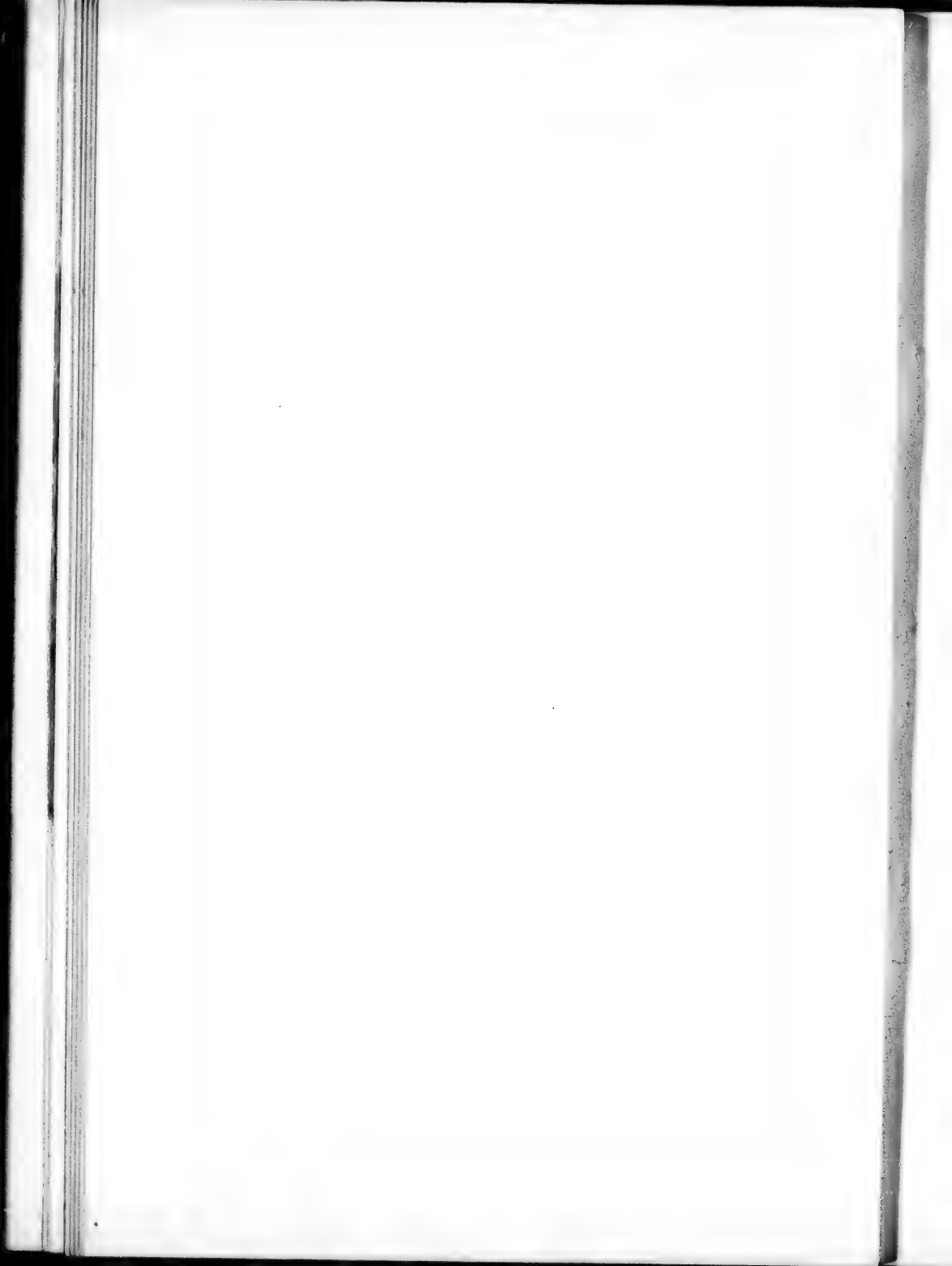
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when any cure shall be vacant from the inability or neglect of the congregation to support a Clergyman, the Lay Representatives shall, after the expiration of one year from the vacancy, caused by such inability or neglect, cease to hold and have seats in the Synod.—1876, p. 42

VII.

A Committee of two, to be appointed by the Bishop, shall meet at the Synod Office at least two days before the meeting of Synod, and examine the Certificates of Lay Representatives sent in to the Secretary-Treasurer by the respective Clergymen in the Diocese, and shall prepare a report thereon, to be placed in the hands of the honorary Lay Secretary on the opening of the Synod.—1876, p. 42.

VIII.

No Representative shall be entitled to take his seat in the Synod until all the assessments upon his Parish for Synod expenses shall have been paid.—1876, p. 42.

IX.

In the event of a vacancy occurring in the number of Representatives of any Parish or Cure, either by death, removal from the Parish, resignation, or from any other cause, the Minister of the said Parish or Cure shall proceed within fifteen days to call a new election, by giving notice thereof on two consecutive Sundays, to fill such vacancy, and the person thus elected, shall be elected to serve the unexpired portion of the term of the Representative whose place he fills, and the voters at the last election shall be entitled to vote at such new election without further registration. And in the case of a vacancy in the Incumbency, the meeting for the election of a Representative is to be called by the Church Wardens, as provided in Section Number Two.—1876, p. 42.

X.

The Synod shall meet annually on the last Wednesday in May, or at such other period as may be deemed expedient by the Bishop, who shall appoint the place of meeting, and shall adjourn or dissolve the Synod, as may appear to him most conducive to the welfare of the Diocese.—1876, p. 42.

XI.

On the receipt of the notice of a meeting of the Synod each Minister shall at Morning and Evening Prayer use the following form of Prayer for the Divine Blessing on the proceedings of the Synod:—

PRAYER FOR THE DIVINE BLESSING.

Almighty Father, who in the begining of the Gospel didst cause the Apostles and Elders to meet together under the guidance of Thy Holy Spirit; and hast promised, through Thy Son Jesus Christ, to be with Thy Church to the end of the world: Vouchsafe, we pray Thee, to be present with the Synod of this Diocese now about to assemble (or now assembled); give unto them the spirit of wisdom, patience, love, and of a sound mind; and so direct, sanctify, and govern them, that they may seek truth and peace: and that through them the saving Gospel of Christ may be more effectually preached and ministered, Thy dispersed sheep gathered into the fold, and Thy Holy Church established, strengthened, settled, united and sanctified; through the merits and intercession of the same Jesus Christ, Thy Son our Lord—Amen.

A PRAYER FOR UNITY.

O God, the Father of our Lord Jesus Christ, our only Saviour, the Prince of Peace; give us grace seriously to lay to heart the great dangers we are in by our unhappy divisions. Take away all hatred and prejudice, and whatever may hinder us from godly union and concord; that as there is but one Body, and one Spirit, and one Hope of our Calling, one Lord, one Faith, one Baptism, one God and Father of us all, so we may henceforth be all of one heart and of one soul, united in one holy bond of Truth and Peace, of Faith and Charity, and may with one mind and one mouth glorify Thee, through Jesus Christ our Lord. Amen.—1876, p. 42.

XII.

When the Bishop is not present, and has not appointed a deputy, then the Senior Dignitary or Clergyman of the Diocese present shall preside in his place.—1876, p. 42.

XIII.

A quorum of the Synod shall consist of not less than one-fourth of the whole number of the Clergy and one-fourth of the Lay Representatives of the several parishes of the Diocese; and no business shall be transacted without a quorum.—1876, p. 42.

XIV.

There shall be two Honorary Secretaries of the Synod: one a Clergyman and the other a Layman, both members of the Synod; the former to be elected by the Clergy, and the latter by the Lay Representatives; and there shall also be a Secretary-Treasurer, to be appointed by the vote of the Synod; and such elections

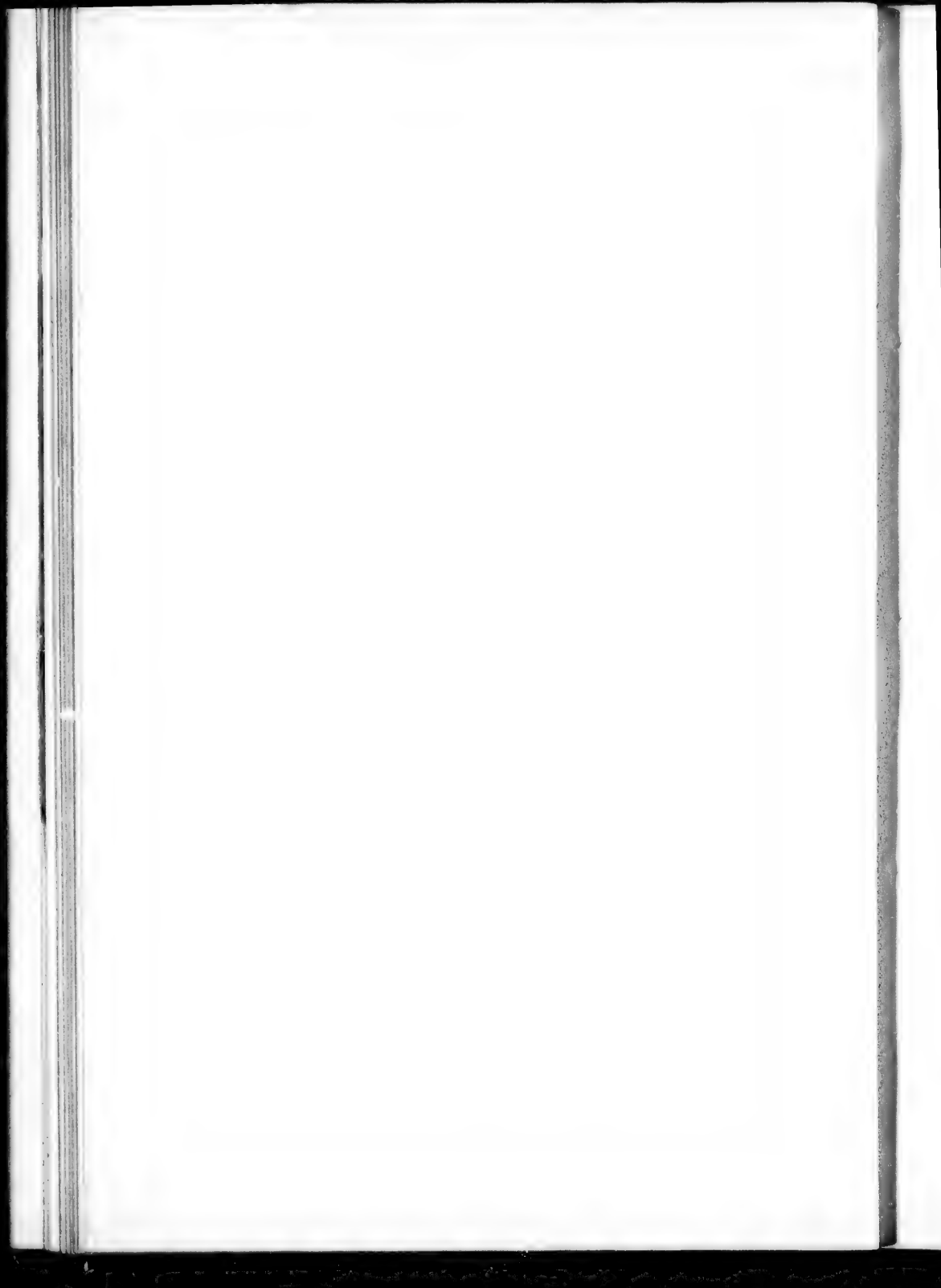
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and appointments shall be held and made on the first business day of the annual meeting of the same.—1876, p. 42.

XV.

The Secretary-Treasurer shall receive such salary as may be decided upon from time to time by the Synod, which shall cover the remuneration to the said Secretary-Treasurer for all his services in respect of the various trusts and funds of the Synod, which salary shall be payable quarterly.—1876, p. 43.

XVI.

It shall be the duty of the Honorary Secretaries to keep regular minutes of all proceedings of the Synod ; to see that they are correctly recorded in a book provided for that purpose ; to conduct the correspondence ; to attest the public acts of the Synod ; and to furnish daily a summary statement or synopsis of the whole of the unfinished business before the Synod, in the order in which it is proposed to take it up, which statement is to be posted on a Notice Board in a conspicuous place in the Synod.—1876, p. 43.

XVII.

It shall be the special office of the Secretary-Treasurer to record in a book provided for that purpose, the regular minutes of all proceedings of the Synod as furnished by the Honorary Secretaries, to preserve all papers, memorials and other documents, and to attend to all the business of the Synod, when not in session, under the direction of the Bishop, the Chairmen of Committees and other officers of the Synod. And it shall be the further duty of the said Secretary-Treasurer to receive all moneys paid to him under the authority of the Synod, to keep them safely, to enter them in the books requisite for that purpose, and under such regulations as may be made by the Executive Committee, to deposit all such sums as soon as they amount to \$100, to the credit of the said Synod in such chartered Bank or Banks of the Dominion as may from time to time be approved of by the said Executive Committee.—1876, p. 45

XVIII.

The said Secretary-Treasurer shall, under such regulations as may be made by the said Executive Committee, give security for the proper performance of his duties, and for the safe custody and deposit of all such moneys and securities as may come into his hands as Secretary-Treasurer. An annual vacation of four weeks, subsequently to the August meeting, shall be granted to the Secretary-Treasurer.—1876, p. 45.

XIX.

There shall be elected annually, on the second day of the meeting of Synod (as the first order of the day), by the individual, clerical and lay members of the Synod respectively then present, twelve clerical and twelve lay delegates to the Provincial Synod. Twelve of each order thus elected having the highest number of votes, shall be the Delegates to such Synod, and six other clerical and six lay representatives whose names shall be next on the ballot, having the next highest number of votes, shall be substitute Delegates to attend the Provincial Synod, whenever from sickness or other cause the Delegates shall be unable to attend. This enactment to be modified as to the number of Delegates whenever the number of such Delegates may be altered by the Provincial Synod, to conform to such alteration.—1876, p. 45.

XX.

Two clerical members and one lay representative, and two lay representatives and one clerical member (to be named by the Bishop), shall be the scrutineers of the clerical and lay vote respectively.

Ballot boxes shall be provided to receive the ballots of the clergy and laity respectively. Upon each member of the Synod depositing his vote, a mark shall be placed opposite his name on the roll by one of the Scrutineers of the order to which he belongs, and it shall be the duty of the Scrutineers to see that the number of votes deposited corresponds with the number of those who have voted upon the occasion. The Scrutineers shall hand over the ballot papers to the Secretaries, whose duty it shall be to preserve them until the close of the Synod, and then destroy them.—1876, p. 45.

XXI.

The assessment for Synod dues must include a sum necessary to pay the travelling expenses of the Bishop and clerical and lay delegates when attending any meeting of the Provincial Synod (whether ordinary or special), to the extent of not more than \$15 for each person; said payment to be made only in the case of those who shall have given a full and proper attendance upon the sessions of said Synod. The assessment for each year not to exceed the sum of one hundred and twenty-five dollars.—1882, p. 52, and 1883, p. 48.

Whenever any of the Delegates to the Provincial Synod shall be unable to attend its meetings, they shall notify the Secretary-Treasurer of the Diocesan Synod of the fact, at least a fortnight previous to the meeting of the Synod. The Secretary-

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Treasurer shall thereupon notify the substitutes in the order in which their names stand upon the list, that they are required to attend the Synod meeting instead of the Delegates unable to attend.

In publishing the list of the Delegates to the Provincial Synod at the beginning of the report (or journal of proceedings), the names of the Delegates, whether clerical or lay, shall be printed in alphabetical order.—1876, p. 45.

XXII.

There shall be appointed annually by the Bishop on the morning of the second day of the meeting of the Synod three standing committees, each consisting of six clerical and six lay members of the Synod, of whom five shall form a quorum, and who shall be called together by the Secretary-Treasurer at such stated times as may be appointed for these meetings, or upon the requisition of the Bishop, the Chairman or any three members of each committee. Said committees shall be designated respectively :

- I. Executive Committee.
- II. Special Trust Committee.
- III. Mission Board.—1876, pp. 45 and 70.

XXIII.

(a) It shall be the duty of the Executive Committee to prepare in due form all such matters as the Bishop or any member of the Synod may desire to bring forward, to receive reports of all other committees, and to submit such reports to the Synod ; to print the reports of the Standing Committees laid before them, and such parts of other reports as they may deem expedient ; to issue a circular under the Bishop's direction stating the time and place of meeting, the business for the ensuing Synod, the order in which it shall be discussed, and the names of the members of the Synod, which circular shall be forwarded to each clergyman and lay representative, two weeks before the meeting of Synod. Together with such circular shall be sent a copy of the Reports of all committees to be submitted to the Synod, or such portion of them as shall have been printed under the direction of the Executive Committee.

In order further to prevent the postponement until a late period of the session of important matters affecting the interests of the Diocese, the consideration of the reports of committees, and of all motions, in the judgment of the Executive Committee, specially pertaining to the Diocese, shall take precedence of all other motions.

(b.) It shall be the duty of the Executive Committee to provide means for the collection of, and to collect the *General Purpose Fund*, and to manage the said fund of the Synod on the same trusts upon which the same are now held, and in accordance with any by-law of the Synod which may be hereafter lawfully adopted.

(c.) To prepare in tabular form from the answers received from clergymen having cures of souls, to the questions put to them by the authority of the Bishop of the Diocese, relating to the statistics and condition of their several cures, a statement which shall afford (amongst other uses) a basis of an equitable assessment for the expenses of the Diocese, and lay such statement before the Synod in a convenient form for being printed as an appendix to the Annual Report.

(d.) It shall also be the duty of the Executive Committee to assess the several parishes and missions of the Diocese, for all expenses authorized by the Synod, and for all other purposes for which an assessment may be ordered by the Synod.—1876, p. 46.

XXIV.

(a.) It shall be the duty of the *Special Trust Committee*, to manage all real estate or personal securities held by the Clergy Trust Committee of the Diocese of Toronto, which shall be apportioned to the Diocese of Niagara, and all the proceeds accruing from the same, and to administer the same as a distinct fund, separate and distinct from all the other funds of the Diocese, and shall invest and take up and re-invest in Canadian Government Securities, City, County, Town and Township Debentures, all moneys coming into their hands for re-investment, and all surplus, interest, and dividends. They shall report to the Synod at its annual meeting, a full and detailed statement of all investments and changes in investments, and of all moneys received and paid on account of the fund during the previous year. They shall further report the actual state and condition of the fund at the time of their last quarterly meeting, showing the nature of the different securities belonging to the fund, and the incomes which they severally yield, and what arrears of interest may be due on any of the said securities, and the particular securities on which said interest may be overdue. The proceeds of the said fund shall be administered in accordance with the trusts upon which they are held and the provisions of any Canons or By-laws which this Synod may enact.

(b.) It shall further be the duty of the "Special Trust Committee" to take charge of, administer as aforesaid, and dispose of, any

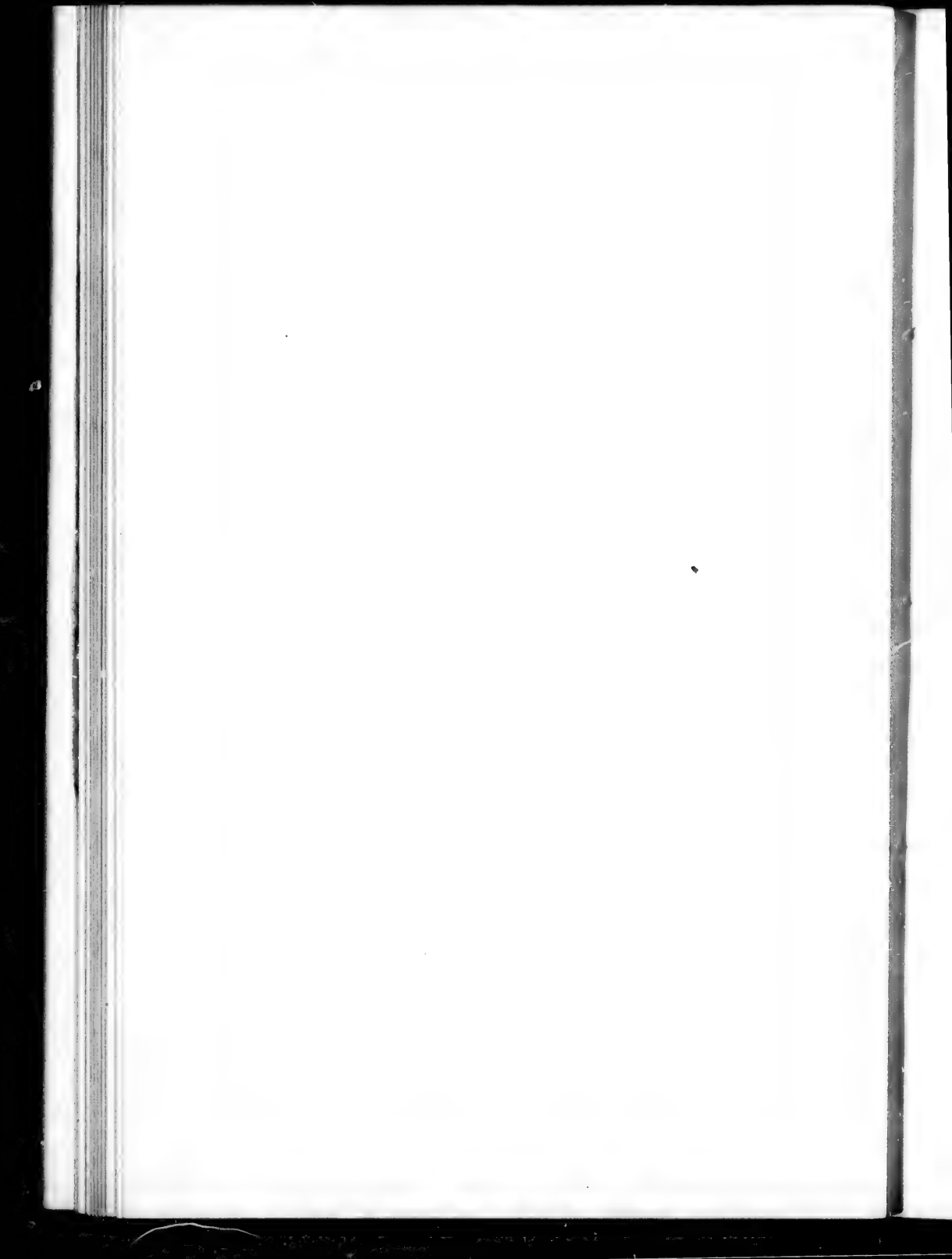
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money or sums of money, or any securities for money, and all real estate or securities which have been or may hereafter be paid, given, assigned or devised from or by any person or persons or bodies corporate, for the endowment of the See.

(c) To dispose of the Rectory Lands of the Diocese and to take charge of and administer the proceeds arising from all sales of the same in accordance with the Act of Parliament authorizing such sale.

(d.) To manage all lands vested in the Synod, and to invest the proceeds of all the sales of land in Government and Municipal Debentures. All real estate securities and moneys placed under the management and control of this committee, shall be managed, held, and administered upon the trusts, upon which the same are now held, or in accordance with any By-law of the Synod which may hereafter be lawfully adopted.—1876, p. 46.

XXV.

(a.) It shall be the duty of the Mission Board to administer the Mission Fund of the Diocese, which shall consist of all special collections made from time to time in the Churches and Chapels of the Diocese in aid of the same ; and of the interest on the legacies ; of all donations and subscriptions ; and of all collections for missionary objects to be made annually as hereinafter provided in the parishes and missions of the Diocese ; and of the interest derived from the invested proceeds of sales of lands given for missionary purposes, in accordance with the Canons and By-laws to be adopted by this Synod.

(b.) The Mission Board shall also be charged with the care of the Widows' and Orphans' Fund of the Diocese, and all claims for pensions to widows and orphans of the clergy of the Diocese shall be referred to the said Mission Board, by whom such claims shall be decided upon and paid on approval of the Bishop according to any By-law adopted by this Synod. It shall also be the duty of the said Mission Board to make annually to the Synod a detailed report of the state of the fund, specifying its several securities ; the amount of income which they each and altogether yield ; the number of widows and orphans on the fund ; and the amounts which they severally receive.

(c.) The Mission Board shall also have charge of the Theological Students' Fund for the same objects and upon the trusts on which the same are now held, or in accordance with any By-law of the Synod which may hereafter be lawfully adopted, and shall report annually to the Synod the condition of said fund and the mode in which it is administered.

(d) The Mission Board shall also adopt measures for the creation and administration of a fund for the support of disabled clergymen, and report annually to the Synod on this subject.—1876, p. 47.

XXVI.

The Patronage of Rectories and Parishes shall be placed in the hands of his Lordship the Bishop of the Diocese, on the understanding that his Lordship will make no appointment without consultation being first held with the Church Wardens and Lay Representatives of the vacant parish.—1876, p. 70.

XXVII.

The Incorporated Synod shall have a *Common Seal*, to be adopted by a committee appointed by the Bishop, and the Bishop of the Diocese shall have the care and custody of the said Seal; and he is hereby authorized and empowered to execute all deeds and documents which from time to time may be required to be executed on behalf of the Synod, pursuant to any resolution of Synod or any of the committees thereof, where such resolution is passed within the authority of such committee. The mode of execution of such deeds and documents shall be by the Bishop causing the said common seal to be affixed thereto, and by his signature attesting the same.—1876, p. 47.

XXVIII.

No act or resolution of Synod shall be valid without the concurrence of the Bishop and a majority of the members present, or of a majority of both orders present, if a vote by orders be required; and if a difference should be found to exist between the orders after a vote is taken, then the subject under consideration shall stand over to the ensuing Synod. This rule is not to refer to the election of a Bishop.

All proceedings of Committees shall be submitted to the Bishop and shall not have effect until approved of by him.—1876, p. 47.

XXIX.

The first meeting of the Synod in each Session shall be preceded by public morning prayer and a sermon and the celebration of the Holy Communion, and the collection at the offertory shall be devoted as the Bishop may direct. After divine service, the Synod shall proceed to the place of meeting, when the Clerical Secretary shall call over the roll of the Clergy to be furnished by the Bishop, and mark the names of those in attendance; and the Lay Secretary shall call over the names of the several parishes and their representatives, from the Synod list. The election of the Honorary

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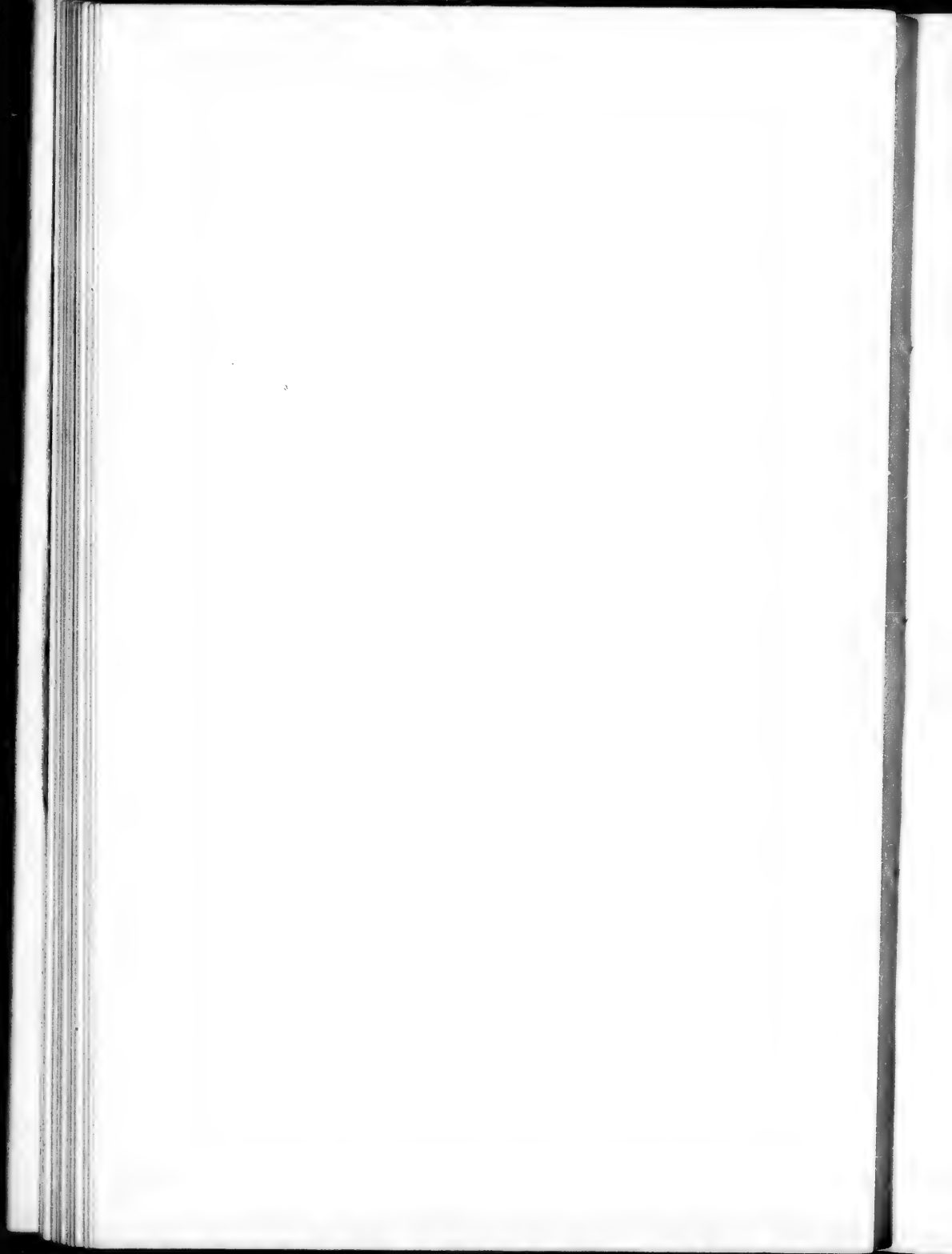
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Secretaries and the Secretary-Treasurer shall then be proceeded with, when the Bishop shall present his address. After this, the order of business shall be as follows :

1. Reading, correcting and approving the minutes of the previous meeting.
2. Presenting, reading and referring memorials, and petitions and correspondence.
3. Appointing Committees.
4. Presenting Reports.
5. Reading and consideration of Reports.
6. Giving notice of motion.
7. Taking up unfinished business.
8. Consideration of motions.

On every day after the first, the Synod shall meet for morning prayer at half-past nine a. m., and then proceed directly to business.

Should an Evening Session of the Synod be desired, notice thereof shall be given not later than five o'clock p. m. of the same day on which the evening session is desired.

A Diocesan Missionary Meeting shall constitute part of the annual proceedings of the Synod.—1876, p. 47.

XXX.

The Bishop shall furnish to the Secretary-Treasurer, as soon after Easter as possible, a list of the Licensed Clergy of the Diocese. The Secretary-Treasurer shall prepare printed copies of the said list, together with the list of all Lay Delegates whose names have been duly entered on the Synod Lists, according to section five of the Constitution of the Synod ; and he shall furnish a copy of said list to each such Clergyman and Lay Delegate at the time when he is forwarding to them the circular mentioned in Section number five.—1876, p. 47.

XXXI

It shall be competent for any member of the church resident in the Diocese to object to the claim of any person on the said list to take a seat in the Synod, provided always that said objection, together with the grounds thereof in writing, be transmitted to the Secretaries at least one week before the meeting of the Synod ; and that they shall, without delay, transmit a copy of the same to the party so objected to ; provided also, that objection may be taken at any time during the session of the Synod to any person whose name shall not have been entered upon the Synod List.—1876, p. 47.

XXXII.

The Chancellor of the Diocese for the time being, or in his absence the Registrar of the Diocese for the time being, together with two clerical and two lay members, whose titles to seats have not been disputed before this Synod, to be appointed by the Bishop under his hand and seal, on the first day of the Synod previous to divine service, shall be a Court to consider such objection, and to adjudicate thereon; and to them shall be referred for final adjudication all cases of doubtful certificates that may be mentioned in the Report of the Committee on the Certificates of Lay-Representatives, and the decision of the Court shall be final. 1876, p. 47.

XXXIII.

In the election of Bishop to a vacant See, or to a new See, the Clergy and Laity shall vote separately by ballot—the Clergy by individuals, the Laity by Parishes. A majority of votes in each order shall determine the choice, provided that two-thirds of the clergy entitled to vote be present and vote, and that two-thirds of the parishes entitled to vote be represented and vote; otherwise two-thirds of the votes of each order shall be necessary to determine the choice.—1876, p. 47.

XXXIV.

On the occurrence of a vacancy in the See, the Dean or Senior dignitary of the Diocese, shall, without delay, notify the Metropolitan of the fact, and request him to summon within fourteen days from the occurrence of such vacancy a meeting of the Clergy and Lay Representatives, to be held at the expiration of twenty days from the date at which such meeting shall be summoned, to elect a successor to the See, at which meeting the Metropolitan or some Bishop appointed by him shall preside.

In the event of the Metropolitan declining to act in the matter, the Dean or Senior dignitary of the Diocese, shall himself summon and preside at the meeting herein provided for.—1876. p. 47.

XXXV.

Any Clergyman elected to be a Bishop, and holding at the time of such election any preferment or benefice, shall resign such preferment or benefice prior to his consecration.—1876, p. 47.

XXXVI.

In the event of Subdivision of the Diocese, the Bishop shall be elected by the Clergy and lay representatives of parishes and missions within the boundaries of the new Diocese. And the new

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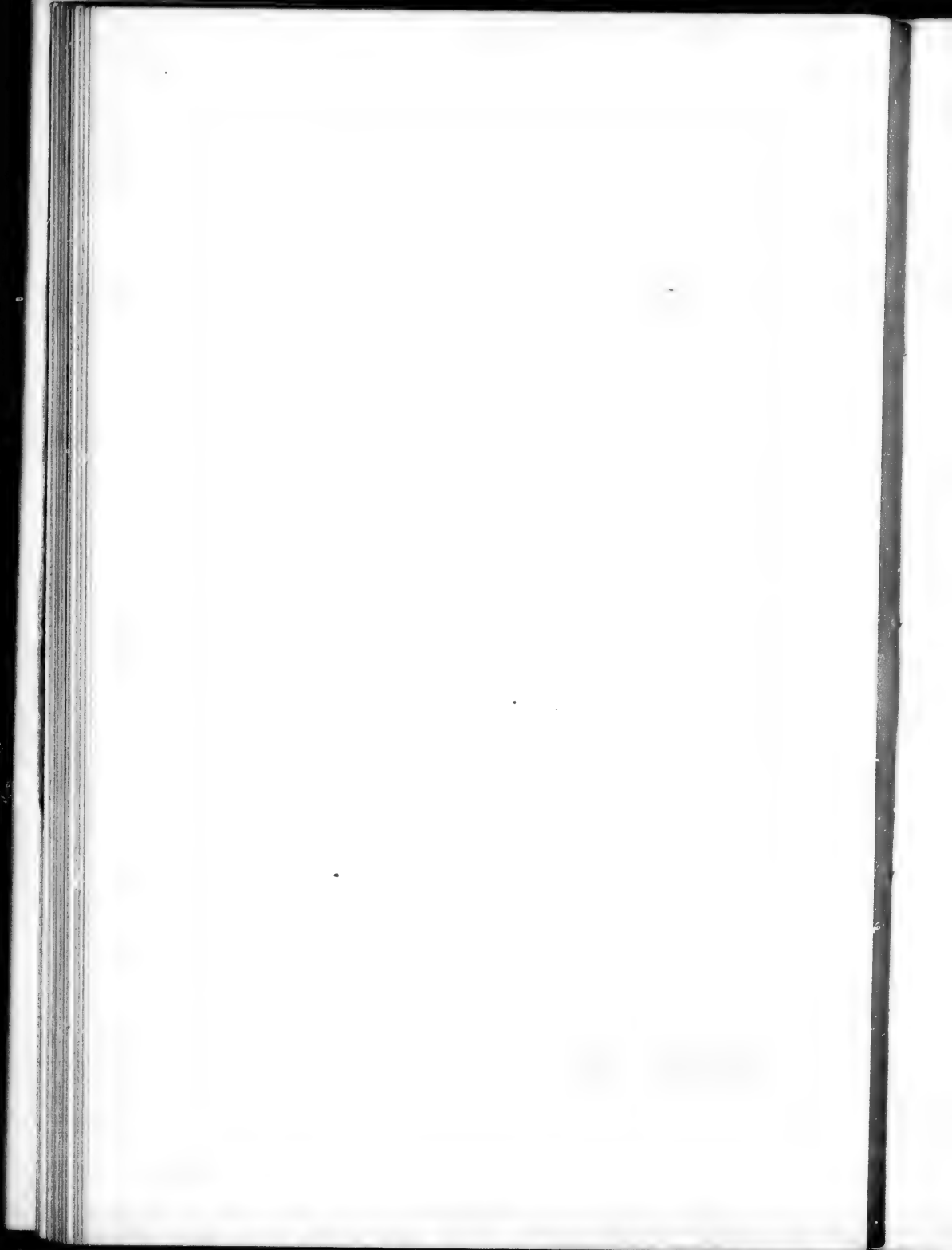
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Diocese shall be bound in all their public proceedings by the Constitution of the Diocese of which they formed a part, until the said new Diocese be fully organized by the election and consecration of the Bishop, the adoption of a constitution, and the incorporation of the Synod.—1876, p. 47.

XXXVII.

The Synod may make such By-Laws, Rules and Regulations for the preservation of order, and the organization of Committees as from time to time shall be considered expedient.—1876, p. 47.

XXXVIII.

Any proposition for any alteration of the Constitution, rules of order, or canons, shall be sent to the Executive Committee, and by them laid before the Synod to be considered at the ensuing meeting, and if approved by a majority shall lie over until the next meeting of Synod; and if again approved by a majority consisting of two-thirds of both clergy and laity, it shall be adopted. 1876, p. 48.

RULES

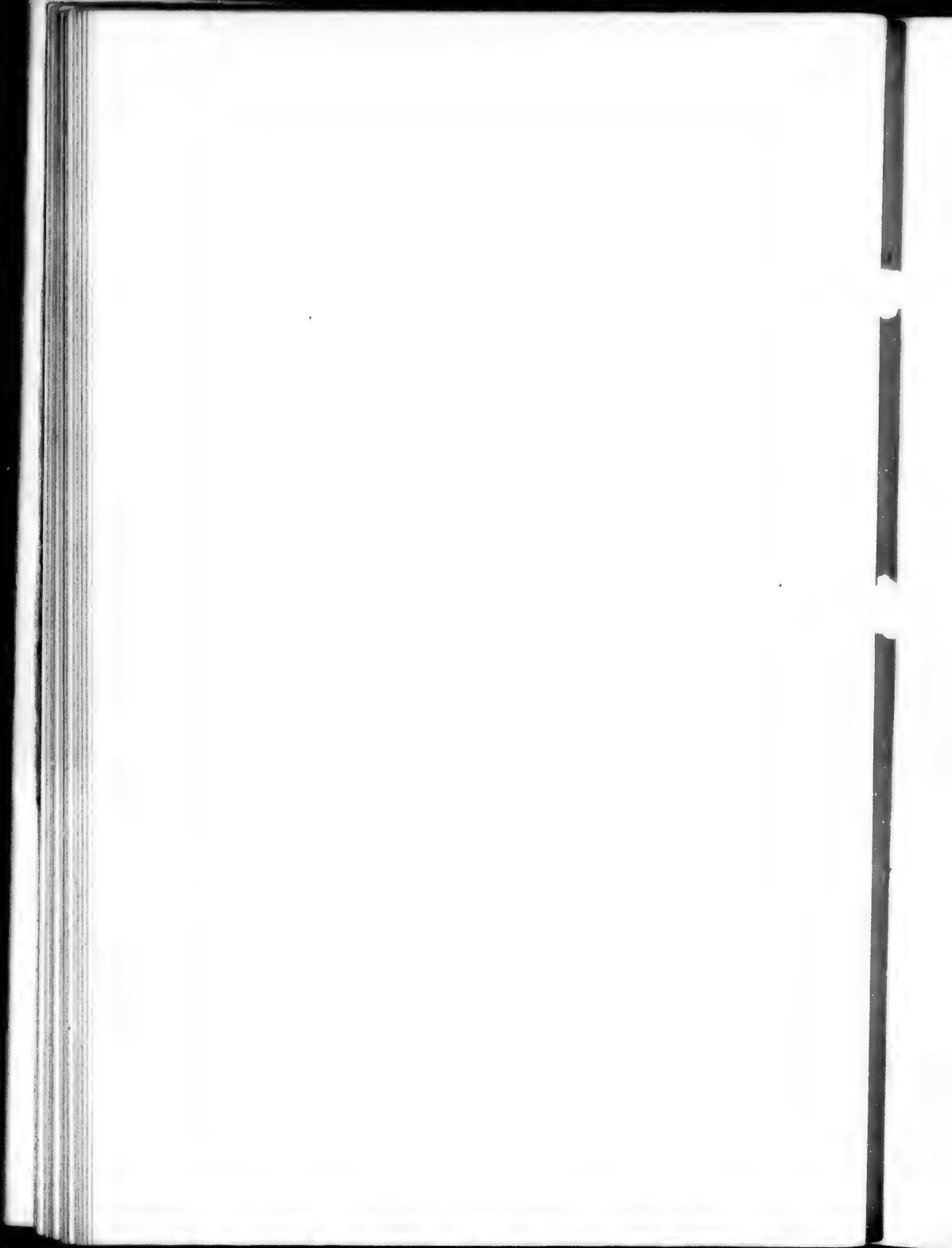
FOR THE

PRESERVATION OF ORDER.

1. When the Bishop or other person presiding has taken the chair, no member shall continue standing.
2. When any member is about to speak for the information of the Synod, he shall rise and address himself to the chair.
3. No motion or amendment shall be considered as before the Synod, (excepting such as may be proposed by the Bishop or Committee), unless seconded and reduced to writing. To prevent surprise, no motions, except motions in course, shall be considered until all motions already before the Synod shall be disposed of.
4. No member shall speak more than once on the same question without asking and receiving permission from the chair, except the mover and seconder.
5. When a question is under consideration, no other motion shall be received, unless to adjourn, to lay it on the table, to postpone it to a certain time, to postpone it indefinitely, to commit it, to amend it, or to divide on it; and motions for any of these purposes shall have precedence in the order here named.
6. When any motion or amendment is under discussion which contains more than one distinct proposition, it shall be divided at the request of any member.
7. Motions to adjourn and to lay on the table, shall be decided without debate.
8. When a motion has been read to the Synod by the Secretary, it cannot be withdrawn by the mover without the consent of the chair.
9. Each member shall have the right to require, at any period of the debate, that a question in discussion be read for his information.

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10. Any member called to order while speaking, shall sit down, unless permitted to explain.

11. All questions of order shall be decided by the chair.

12. When a proposed amendment is under consideration, a motion to amend the same may be made, but no after amendment to such second amendment shall be in order. Yet a substitute to the whole matter may be proposed and received, provided it deals with the subject in hand.

13. Each amendment to any question or amendment shall be decided on before the question or amendment on which they arise are proposed for decision.

14. Whilst any question is being put from the chair the members shall continue in their seats, and shall not hold any private discourse; and when a motion is so put, no member shall retire until such motion is disposed of.

15. On a question being put by the chair, it shall be determined by the sound of voices for or against it, or at the request of the Chairman or three members, those who vote in the affirmative shall first rise, and then those who vote in the negative—unless a division is required as provided in Rule No. 16.

16. When a division takes place, the votes of the Clergy and Laity shall be taken separately, if required by the Bishop, or four members of each of the respective orders. And the Lay representatives shall in all such cases vote by parishes, and when so voting the majority shall be considered as the vote of the parish.

17. A question being once determined, shall not again be brought into discussion in the same session, without the special sanction of the Bishop.

18. No protest or dissent shall be entered on the minutes of the proceedings, but when required by any three members, the names of those voting in the affirmative and negative shall be recorded

19. An address from the Bishop shall be in order at any time.

20. When the Synod is about to rise, every member shall keep his seat until the Bishop or other person presiding has left the chair.

21. Every speaker, except in moving and seconding any motion or amendment, shall be limited to ten minutes, and all speakers shall be timed by an assessor or assessors, to be

appointed by the Bishop, to aid in the maintenance of order and obedience to the rules of the Synod.

22. Petitions, memorials and other papers addressed to the Synod, shall be presented by a member in his place, who shall endorse his name thereon, and be answerable to the Synod that they do not contain improper or impertinent matter.

23. Members of the Synod shall sit uncovered; the clerical members shall be habited in gowns, and (if graduates), in the hoods of their respective degrees.—1876, pp. 14 and 40.

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CANONS.

I. CANON ON WIDOWS' AND ORPHANS' FUND.

See journal 1875, p. 35 and appendix B.; 1876, p. 69; 1878, p. 35; 1879, p. 45 and appendix A.; 1880, p. 57; 1882, p. 52; 1883, p. 52; 1884, p. 60; 1885, p. 60.

I.—All rents, issues and profits of lands and tenements held by the Synod for the relief of the widows and orphans of clergymen, and all moneys given or granted for the same purpose by individuals, and all collections and assessments made by order of the Synod, shall be put to the credit of the Widows' and Orphans' Fund.—1879, p. 47.

II.—In order to entitle the widow and orphans of any clergyman to the annuity hereinafter provided, he must from his ordination in, or entrance into the Diocese, have become and continue to be an annual contributor of five dollars a year to the capital of the Widows' and Orphans' Fund of the Diocese; or shall have (before the first day of July next) paid at that rate, for every year since his ordination in, or entrance into the Diocese. The sums required to be paid by a clergyman under this Canon shall be paid on or before the 31st day of March in each year, to the Secretary-Treasurer of the Synod, to be entered in a book to be kept by him for the purpose; and it shall be the duty of the Secretary-Treasurer to lay before the Mission Board at its meeting in April, a list of those clergymen who have complied with the requirements of this Section.—1879, p. 47.

III.—From henceforth, every clergyman entering the Diocese and receiving written license, and every person ordained in the Diocese under thirty years of age, shall receive all the benefits of the Widows' and Orphans' Fund, on complying with the conditions of this Canon. But all others shall pay in addition to the requirements of section II of this Canon, an entrance fee according to the following scale: when over 30 years of age and under 35 years, a fee of \$30; when over 35 years and under 40, a fee of \$40; when over 40 years and under 45, a fee of \$50; when over 45 years, a fee of \$60; to be paid within 6 months of his ordination or entrance into the Diocese, in one payment or

by annual instalments of \$5 ; and in case such clergyman shall decease before such instalments be paid, that then such instalments, as they become due, shall be deducted from the annuity payable to his widow and orphans. The same scale of payments according to the ages specified, to apply to every clergyman who remarries and is desirous of availing himself of the provisions of this Canon, said payment to be paid within six months after re-marriage.—1879, p. 48.

IV.—In case of a clergyman removing from this Diocese, and taking permanent duty in another Diocese, unless absent on leave, he shall forfeit for his widow and orphans all claims on this fund ; provided always, that if he should again be licensed in this Diocese, or being absent on leave, shall pay his annual subscription of five dollars a year for every year he was absent from the Diocese, the claims of his widow and orphans on this fund shall be restored to their original position.—1879, p. 48.

V.—From and after the passing of this Canon, the Synod shall pay to the widow of every deceased clergyman entitled to relief from this fund an annuity of \$200 *per annum* in quarterly payments, on the last days of June, September, December and March in each year ; the first of such payments to be made on the first quarter day following the date of her late husband's decease, and to be calculated *pro rata* from the said date, and such payments shall be made to her during her natural life, or so long as she remains a widow. If the widow shall be left with more than two children, a further annuity of \$30 a year shall be paid for each such child under 18 years of age ; *provided* that not more than \$100 a year be paid for children in one family. Where an orphan or orphans are left, then a pension for \$60 for each, shall be paid up to \$200 for one family. In the case of the re-marriage or death of any widow, the annuity for each child under 18 years of age, of \$60 for each up to \$200 a year, shall be paid to the guardians of such children. All the annuities from this fund to the children of clergymen shall cease upon their attaining the age of 18 years or upon their marriage.—1879, p. 48.

VI.—Every Widow of a clergyman, or the guardians of the orphans of a clergyman, entitled to receive aid from this fund, shall apply therefor in writing to the Mission Board, setting forth the date of the decease of such clergyman, the name of his widow and the names and ages of his children under 18 years of age, which application shall be taken into consideration by the said Board at its first meeting after the receipt of same.—1879, p. 48.

VII.—If any clergyman whilst on the superannuated list of

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the Diocese, marries, his widow shall have no claim upon the Widows' and Orphans' Fund.—1879, p. 48.

VIII.—Every widow of a clergyman, and guardian of an orphan or orphans, before receiving any assistance from this fund and thenceforth on the last days of June, September, December and March in each and every year, shall respectively make the following declaration in writing :

DECLARATION TO BE MADE BY A WIDOW.

"I, (A. B.) do hereby declare that I am the widow of the late Rev. C. D.; that I am entitled to an annuity from the Widows' and Orphans' Fund of the Diocese of Niagara, and further that my unmarried children, as named below, are aged respectively as follows:"

NAMES OF CHILDREN.	AGES,
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	POST OFFICE.

DECLARATION TO BE MADE IN A SIMILAR WAY BY THE
GUARDIAN OF CHILDREN.

"I, (A. B.), do solemnly declare that I am the duly appointed guardian of the children of the late Reverend C. D., the names and ages of the unmarried children being respectively as follows :

NAMES OF CHILDREN,	AGES,
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.....

and that they are entitled to an annuity from the Widows' and Orphans' Fund of the Diocese of Niagara.

..... GUARDIAN.
..... POST OFFICE.—1879, p. 49.

IX.—All moneys to the credit of this fund on the 31st day of March in each year, that may not be required to meet the annuities payable to the widows and orphans of the Clergy in full, shall from time to time be invested by the Mission Board.— 879, p. 49.

X.—Should any doubt arise at any time as to the interpretation of this Canon, the same shall be referred to the Chancellor of the Diocese, whose decision thereon in writing shall be final.—1879, p. 49.

XI.—The Secretary-Treasurer shall lay before the Synod, at its annual meeting, a detailed statement of all lands belonging to this fund, and of all moneys belonging thereto invested or in hand on the 31st day of March previous; of the receipts and expenditure during the preceding year; of all donations and legacies to this fund; of the widows and orphans on the fund, and of the moneys paid to them severally.—1879, p. 49.

XII.—This Canon shall go into effect on the day that this Session of Synod closes.—1879, p. 49.

II.—A CANON FOR THE DISCIPLINE OF THE CLERGY.

See Journal 1878, p. 38, 1879, pp. 49 and 54, and appendix B.

I.—Every Deacon and Priest holding any charge under the jurisdiction of the Bishop of the Diocese, or deriving any income from the funds of the Diocese or who has held a license in the Diocese, and has not left the Diocese, shall be amenable to the Bishop for any offences committed by him, in the manner and according to the provisions set forth in this Canon of Discipline. 1879, p. 50.

II.—There shall be a Standing Committee of Discipline appointed at this Session of Synod, at which this Canon shall be adopted, and every third year thereafter, at the annual meeting of Synod, consisting of the Chancellor and Registrar of the Diocese, and fourteen presbyters in full standing, seven of whom shall be appointed by the Bishop, and seven be elected by ballot, by the Clergy of the Diocese. In addition to these last seven there shall be also two substitutes elected in like manner, by the clergy of the Diocese, and from this committee the Board of Triers, as hereinafter provided, shall be taken. Such election shall take place in every third year, immediately after the election of delegates to the Provincial Synod; and in the year of the adoption of this Canon, it may take place at any time during the Session, on the requirement of the Bishop or any three members of the Synod; provided always, that when any vacancy occurs in this committee it shall be filled up by the Bishop from the list of substitutes elected by the clergy. The clergymen appointed to the Board of Triers, shall have been at least ten years in Holy orders.—1879, pp. 55 and 57.

III.—Every clergyman shall be liable to trial:

- 1.—For Crime or Immorality.
- 2.—For holding and teaching, publicly or privately and advisedly, any doctrine contrary to the teaching of Holy Scripture, as set

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forth in the Articles and Formularies contained in the Book of Common Prayer of the Church of England.

3.—For violation of the Constitution or Canons of the Provincial Synod.

4.—For violation of the Constitution or Canons of the Synod of this Diocese.

5.—For any act which involves a breach of his ordination vows.—1879, p. 55.

IV.—When information in writing is laid before the Bishop by two presbyters of the Diocese, or by three lay communicants of the parish of different families, that a clergyman of the Diocese is liable to be tried under section III. of this Canon, it shall be the duty of the Bishop to require of the accusers the charges in writing and the evidence in support of these charges, under the hand of the witnesses, and after furnishing a copy of the charges to the accused, and receiving his replication to the same, the Bishop shall decide whether there be *prima facie* grounds for further proceedings; and should there not be, in his opinion, such grounds, the charge shall be dismissed.—1879, p. 56.

V.—When it is considered necessary that a trial shall take place, the presentment shall be prepared by the Church Advocate (to be appointed for that purpose by the Bishop, who may be either a clergyman in priest's orders, or a lay communicant of the church) addressed to the Bishop, based upon the charges made to the Bishop, with reasonable certainty as to time, place and circumstances. But no proceedings shall be instituted or complaint entertained under this Canon after two years from the time of the alleged commission of the offence. Nevertheless, when proceedings are taken under this Canon, in respect of any matter, which has been the subject of enquiry and adjudication in a court of justice, the proceedings under this Canon must be commenced against a clergyman, in respect of the same matter, or of any matter arising out of it, or connected therewith, within three months of the period, when the knowledge thereof shall have reached the Bishop, or the person or persons complaining to him. 1879, p. 56.

VI.—The Bishop shall cause a copy of the charges to be served on the accused, and five members of the Committee of Discipline shall be selected by lot, said selection to be made by the Bishop in presence of any two members of the Committee. The said five clergymen so selected shall form a Board for the trial of the accused, and shall meet at such time and place, within the Diocese, as the Bishop shall direct, and shall have power to adjourn from

time to time (not exceeding three months in all) or from place to place (but always within the Diocese) as they shall deem necessary. 1879, p. 57.

VII.—A written notice of the time and place of the meeting of the Board shall be served by the Church advocate, under the direction of the Bishop, at least fourteen days before such meeting, on the accused, on one of the prosecutors, and on each member of the Board of Triers. All notices and papers contemplated under this Canon may be served by a summoner, or summoners, to be appointed for that purpose by the Bishop, whose certificate of such service shall be evidence thereof. In case of service by another person, the fact shall be proved by such person. A written notice or paper delivered to a party, or delivered at his last place of abode, shall be deemed a sufficient service of such notice or paper.—1879, p. 56.

VIII.—If, before the appointment of a Board of Triers, the clergyman accused shall confess the truth of the charges contained in the presentment, the Bishop shall proceed to pass such sentence on him as he considers proper; but, if he does not confess them in writing he shall be considered as denying them.—1879, p. 56.

IX.—If a clergyman prosecuted does not appear before the Board of Triers, after having received due notice to do so, the Board may proceed as if he were present, unless for good reasons they shall see well to adjourn to another day.—1879, p. 56.

X.—If the whole Board do not appear at the time appointed for their assembling, then those who do attend (not being less in number than three) shall proceed to the trial; a majority of those present shall be necessary to decide all questions, and where there are only three present their judgment must be unanimous. They shall choose their own chairman and secretary from their own number, and it shall be the duty of the latter to keep a full and correct minute of all the proceedings had before the Board, and report the same, within one week, to the Bishop, certified as correct by the chairman himself.—1879, p. 56.

XI.—When the Board proceeds to the trial, they shall hear such evidence as may be produced, which evidence shall be reduced to writing and signed by the witnesses respectively. If on or during the trial the accused shall confess the truth of the charges contained in the presentment, the Board may dispense with having further evidence, and may proceed at once to state their opinions to the Bishop as to the sentence that ought to be pronounced.—1879, p. 56.

XII.—Upon the application of either party to the Board of

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Triers for that purpose, and on its being made to appear to them that the attendance of any material witness cannot be procured, they may appoint a commissioner (being a clergyman or regular communicant of ten years' standing in the church) to take the testimony of any such witness; and both parties may attend and examine such witness or witnesses, the examination being reduced to writing, as nearly as possible, in the very words of the witness, and signed by such witness. Such testimony thus taken shall be transmitted to the Board of Triers, certified by the commissioner, under his hand and seal, and shall be received as evidence at the trial.—1879, p. 56.

XIII.—The accused may either appear in person, or by a clergyman of this Diocese chosen by him, or accompanied by said clergyman.—1879, p. 56.

XIV.—In every case in which, from the nature of the offence, it shall appear to the Bishop, after due inquiry, that great scandal is likely to arise from the clergyman accused continuing to perform the services of the Church while such charge is under investigation, the Bishop shall cause a notice to be served on the accused at the same time with the service of the copy of charge, or at any time pending the proceedings, inhibiting the accused from performing any service in the Church until the matter shall have been finally decided; and the Bishop may make provision for the service of the Church during the period of suspension, which suspension shall not exceed three months.—1879, p. 56.

XV.—The Board of Triers shall decide all questions of order.—1879, p. 56.

XVI.—The proceedings of the Board shall be open to the members of the Church, unless, in the opinion of the majority of the Board, the circumstances of the case require that the trial shall be private.—1879, p. 56.

XVII.—Every witness before examination shall be required to make a declaration in the following words:—I, (A. B.,) a witness in the case of (C. D.,) do most solemnly declare that the evidence I am about to give shall be the truth, the whole truth, and nothing but the truth.—1879, p. 56.

XVIII.—The Board having deliberately considered the evidence produced before them, whether verbal or written, shall declare in writing, by a majority of them; or in the case, if there be only three triers, by an unanimous vote, their decision on the charges contained in the presentment, rendering their verdict of guilty, not guilty, or not proven, on the several counts presented to them; also stating, if guilty, the sentence which, in their opinion, should be pronounced, and their decision, together with the evidence thus rendered, shall be delivered to the Bishop, and shall be signed by the Chairman and Secretary of the Board.

The Bishop having duly considered said verdict, and having approved of the same, shall pronounce such canonical sentence as shall appear to him to be proper, provided the same shall not exceed in severity the sentence recommended by the Board.—1879, p. 56.

XIX.—The Triers, to whom the examination or trial of any accused clergyman shall be committed, shall be bound not to divulge the sentence recommended by them until it shall have been examined and approved of by the Bishop; nor shall they at any time whatsoever disclose the vote of any particular member of the Board.—1879, p. 56.

XX.—Every clergyman whose case may have been disposed of and decided adversely to him, and who shall think himself aggrieved by such decision, or who shall make it appear that new evidence, having an important bearing on the case, has been discovered since the trial, of the existence of which he was not aware at the time of the trial, may, within three months, petition the Bishop for a new trial, or re-hearing of the case, either upon objections to be taken to the decision upon the facts, or because the judgment is not sustained by the laws and canons of the Diocese or of the ecclesiastical Province, or for other cause or causes; or he may apply by petition to the Bishop for arrest of sentence of judgment, upon causes to be shown, and in either case the Bishop shall, upon receiving such petition, refer the same and the whole subject, together with the evidence and the report made by the Board of Triers, to the Committee on Discipline of the Diocese, and their decision on the question being approved by the Bishop, shall be final in so far as this Diocese is concerned. In the event of a re-hearing, or a new trial being granted, the case shall be transmitted to a Board of Triers, appointed and provided for in section VI., who shall proceed to hold a new trial, according to the rules hereinbefore set forth, within one month of the notice of such new trial being given to them by the Bishop, unless some reasonable cause can be given for an extension of the time.—1879, p. 56.

XXI.—Before pronouncing sentence, the Bishop shall summon the accused and any three or more of the clergy of the Diocese to meet him at such time and place as to him may seem most convenient, and the sentence shall then be pronounced by the Bishop, or by some other person commissioned by him for that purpose.—1879, p. 56.

XXII.—The following sentences may be pronounced and punishments imposed upon offending clergymen, viz.: admonition, removal from parish or mission, withdrawal of license, suspension from the exercise of the functions of his office or deprivation of his sacred office.

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XXIII.—For the offences set forth in the first column herein-after written, the sentences set forth opposite to the same, in the second column, and none other, shall be passed by the Bishop, or the person commissioned by him, upon any clergyman found guilty thereof:

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| <p>1. For crime or immorality.</p> | <p>1. Removal from parish or mission ; withdrawal of license ; suspension ; deposition.</p> |
| <p>2. Scandalous or disorderly conduct. Irregularities in the performance of Divine service, omissions or alterations in the use of the Liturgy not authorized by the Provincial Synod ; holding or assisting at any public religious services in any other clergyman's parish, without his consent, or permitting unauthorized persons to officiate in his church or parish.</p> | <p>2. Admonition ; removal from parish or mission ; withdrawal of license ; suspension for not more than one year and not less than three months.</p> |
| <p>3. For schism or separating himself from the communion of the church.</p> | <p>3. Removal from his parish or mission ; withdrawal of license ; suspension for one year ; deposition.</p> |
| <p>4. For discontinuing the exercise of his ministry without sufficient cause or leave of the Bishop. For exercising any lay calling or profession inconsistent with the duties of his sacred calling.</p> | <p>4. Admonition ; removal from parish or mission ; withdrawal of license ; suspension for one year.</p> |
| <p>5. For contumacy ; or canonical disobedience to the Bishop.</p> | <p>5. Admonition ; suspension for not more than one year.</p> |
| <p>6. For living in the habitual disuse of public worship in the church or of the Holy Communion, unless for reasonable cause shown ; or for the violation of the constitution or canons of this diocese, or of the ecclesiastical province of Canada.</p> | <p>6. Admonition ; removal from his parish or mission ; withdrawal of his license for a limited time ; inhibition from the performance of his clerical functions ; deprivation of his income from any church funds, within the control of the Synod.</p> |

7. Habitually and advisedly maintaining or affirming doctrine contrary or repugnant to the word of God as set forth in the Liturgy and articles of religion contained in the Book of Common Prayer.

7. Admonition; removal from parish or mission; withdrawal of license; inhibition from the performance of clerical functions; deposition.—1879, p. 56.

XXIV.—When sentence is pronounced in accordance with the above schedule, it shall also be specified upon what terms, if any, the disability shall cease. When the penalty of suspension is inflicted, the clergyman thus suspended, shall not exercise the functions of his ministry in his own congregation or elsewhere, on pain of deposition; and during such suspension the Bishop may appoint another clergyman to discharge his duties, and may use as much of the stipend of the suspended minister to pay for such service as to him may seem proper.—1879, p. 56.

XXV.—When a verdict of "not proven" shall be rendered, it shall be in the power of the Board of Triers to say whether in their judgment the interests of the church require that the accused shall be removed to some other charge or not; and it shall be in the discretion of the Bishop to carry out this recommendation.—1879, p. 56.

XXVI.—When a sentence of deposition is pronounced, the connection between the minister deposed and his parish or congregation shall be *ipso facto* severed, and all rents, stipends, profits and emoluments within the control of the Synod, which he may have been entitled to by virtue of such ministry, from which he has been removed, shall wholly cease and determine.—1879, p. 56.

XXVII.—Whenever a clergyman is deposed from the sacred ministry, the Bishop who pronounced the sentence shall, without delay, give notice of such sentence to the ministers and churchwardens of the several congregations of the Diocese, to His Grace the Archbishop of Canterbury, and to the several Bishops of the Church on this Continent.—1879, p. 56.

XXVIII.—It shall be the duty of the chairman of the Board of Triers to see that the proceedings of the Board, as well as the sentence in each case, and the Bishop's action thereon, be duly recorded by the secretary of the Board in a book to be provided by the Diocese, which book shall have a lock and key, the key of which shall be in the custody of the Bishop, but the book itself shall be in the custody of the registrar of the Diocese.—1879, p. 56.

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XXIX.—All the expenses necessarily incurred by the Board of Triers in any investigation or trial under this Canon, shall be paid by the accused, if convicted; and in case the expenses cannot be recovered from him, by the Synod of the Diocese; but if he is acquitted, or the verdict of 'not proven' be rendered, the expenses shall be paid by the accusers; and the accusers shall sign an agreement binding themselves to pay such expenses, if the accused be acquitted, or the verdict of 'not proven' be rendered, and no proceedings shall be taken till such agreement is filed with the Bishop.—1879, p. 56.

XXX.—The accused, if convicted, shall have the right of appeal to the House of Bishops of the Province of Canada.—1879 p. 57.

III.—CANON ON SELLING OR MORTGAGING CHURCH PROPERTY.—(See Journal, 1886, p. 69.)

It shall be the duty of the Executive Committee of the Synod, when acting under any of the Acts or Amendments thereto respecting the property of religious institutions in Ontario, to require as conditions, without which their consent or assent to sell, mortgage, lease or otherwise incumber any church property may be withheld.

1st.—That a duly certified copy of the Resolution of the Vestry or congregation desiring the Incumbent and Wardens to take steps to sell the property or borrow money thereon, be sent to the Executive Committee accompanied by,

2nd.—A statement of the number of families as well as pew and seat holders belonging to the congregation.

3rd.—A statement of the number of persons present and voting when the resolution was passed.

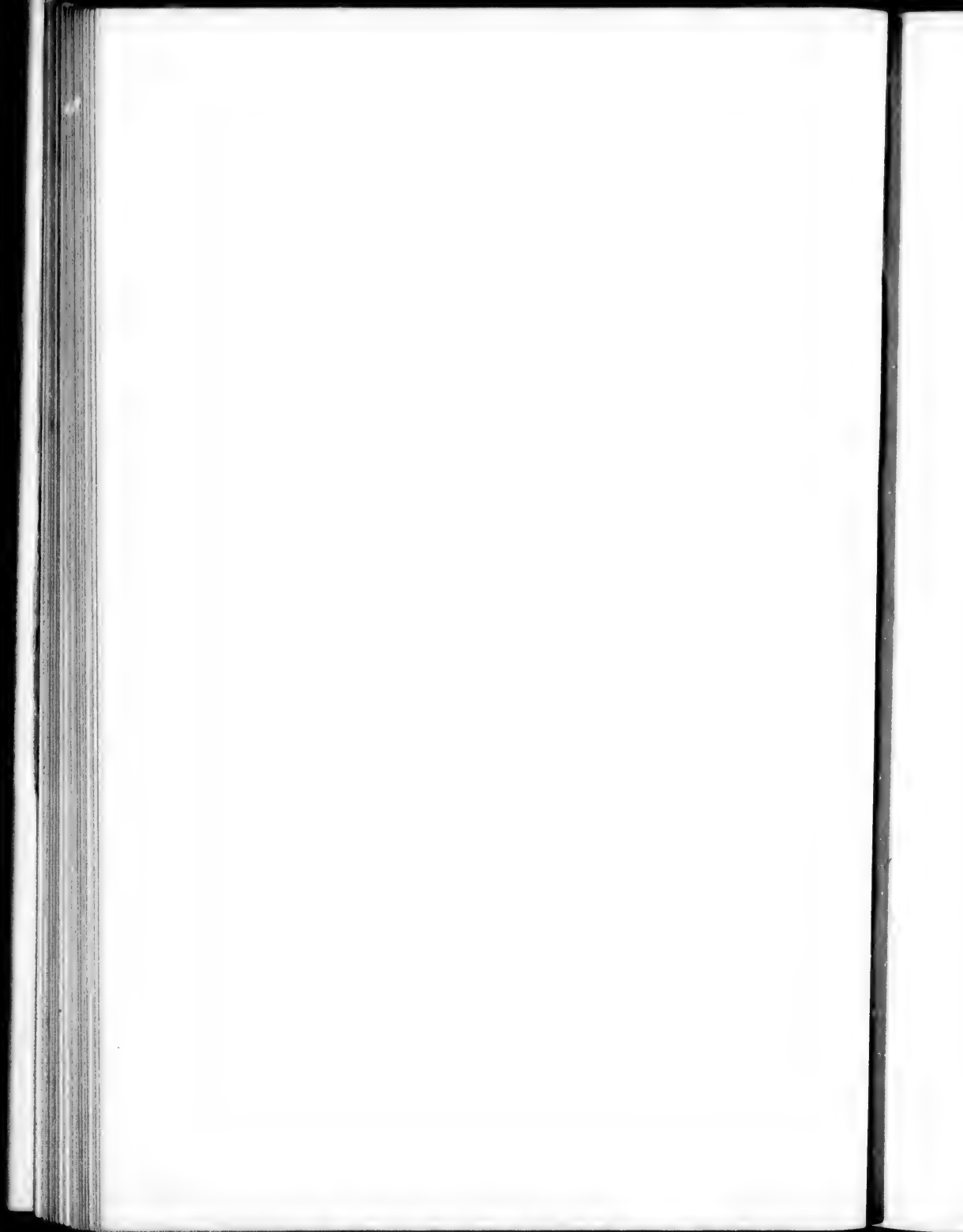
4th.—A statement of the objects for which a sale is intended, or, in the event of a loan, how the same is to be expended, distinguishing those of a permanent character, such as additions or enlargements to the church or other buildings with the estimated cost thereof, and those of a less permanent nature, such as repairs or improvements, with the estimated cost thereof.

5th.—A statement of the way in which it is proposed that the interest on any proposed loan shall be met, and the principal sum gradually paid off.

In any case where the above conditions are not complied with or are considered unsatisfactory by the Committee, it shall be

their duty to record the reasons of their refusal to authorize such loan, and to inform the Incumbent and Church Wardens of the congregation of the fact.

In no case shall the Parsonage be mortgaged save for repairs and improvements, and no such Parsonage property shall be encumbered to a greater amount than one-fifth of the value of the property, to be ascertained by competent valuation.



BY-LAWS.

I.—COMMUTATION TRUST FUND BY-LAW.

(See Journal, 1876, p. 70; 1877, pages 31, 38 and 41, and Appendix A, and 1879, p. 57.)

1. The Commutation Fund shall be managed and administered by the Special Trust Committee.—1877, p. 38.

2. The charges on this fund shall be :

(1st.) The payment to all the present participants of their stipulated annuities.

(2nd) The expenses of management of said fund.

(3rd.) The payment of such other annuitants as may from time to time be added to the list, of the amounts to which under this By-law they may become entitled.

No new annuitant, except one claiming a superannuation allowance admitted by the Bishop, shall be placed on the fund until the permanent income, after paying all existing claims, all expenses chargeable on this fund, and providing the sum of \$400 to meet any unforeseen contingency, shall leave a surplus for distribution.—1877, p. 38 and 42.

3. Said surplus shall be appropriated to the maintenance of clergy of the Diocese being in priests' orders, not being already on the Commutation Fund, not holding an endowed living yielding over \$400 per annum ; or while holding the incumbency of a church or parish yielding an income from endowment, pew rents, or salary of not over \$1200 per annum, according to length of service in the Diocese, or as respects clergymen who were in the Diocese at the time of its erection, according to the length of such service in this Diocese, and previously in the Diocese of Toronto.

That the term income shall not be held to include house rent or annual value of parsonage.—1877, p. 39.

4. Such service shall consist of the time during which the clergyman has been exclusively employed in *bona fide* parochial or missionary duty, whether in deacon's or priest's orders, in this Diocese, or, as aforesaid, in the Diocese of Toronto ; and

that in case there be any intermission in the time of such services, (unless occasioned by ill health), the length of such intermission shall be deducted from the term of services for which the clergyman claims.—1877, p. 39.

5.—When two or more persons are ordained in the Diocese, and their services commence at the same time, he shall be considered senior who is first upon the Bishop's ordination list. But when they have been ordained out of the Diocese, their seniority shall be determined by the date of their licenses, or written appointment from the Bishop of this Diocese. Provided, that in the case of clergymen who were in the Diocese at the time of its erection, their seniority shall be determined by the date of their licenses, or written appointment from the Bishop of Toronto; and if there shall be any question of seniority not provided for in this By-law, it shall be decided by the Bishop of this Diocese.—1877, p. 39.

6. As soon as the Trust Committee shall report a surplus, as above provided, it shall be paid to the senior eligible clergymen of the Diocese, as above defined, in order as follows:

Clergymen who have served 15 years or more from the date of their licenses aforesaid, shall receive an annuity of \$400; those who have served less than 15 years, and more than 10 years, shall receive an annuity of \$300, and those who have served less than 10 years, shall receive \$200, or so much less in each case as may be required to raise the incomes of the respective clergymen to \$1200. Provided always, that when any surplus is to be divided, the claims of senior clergy already receiving \$300 to be advanced to \$400, and of those receiving \$200 to be advanced to \$300, shall always have precedence of those of juniors; and provided also, that should any deficiency occur so that all the clergy on the list cannot be paid, the commuting clergymen be paid first, then the next senior, so that if any clergyman is to be unpaid, it shall be the junior on the list.

That in the case of any clergyman receiving nothing, or less than \$400 per annum from the surplus of the Clergy Trust Fund, the churchwardens of the parish in which he ministers, shall within ten days after being desired in writing by the said clergyman or by the Bishop to do so, forward to the Secretary-Treasurer of the Synod for the information of the Bishop and the Special Trust Committee, a statement under their hands and seals of the annual official clerical income of the clergyman or clergymen of the parish for the past five years. The average yearly income of these five years shall be the basis of the appropriation to the said clergyman. This statement and the arrangement based thereon

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shall remain in force so long as the clergyman affected by it shall continue ministering in the said parish.—1877, p. 39.

7.—Any clergyman once placed on the list, shall remain thereon so long as he remains eligible in accordance with this Canon, continues to do duty in this Diocese, or is on the superannuated list thereof; but on his removing from the Diocese, not being superannuated, or coming under ecclesiastical censure, his claim shall meanwhile be suspended. Provided, however, that in special cases a discretionary power with respect to the enforcement of this rule shall be accorded to the Bishop with the concurrence of the Trust Committee.

And it shall be lawful for any clergyman who may be eligible by seniority, but may have been hitherto excluded on the score of income, to be placed on the superannuated list for the sum of \$400 when recommended by the Lord Bishop.—1877, p. 41.

8. Any annuitant accepting a Government Rectory or endowed living, yielding from endowments over \$400 per annum, shall resign his income from the Commutation Fund, and by such acceptance shall be regarded as having forfeited his present claim upon such fund. Nevertheless, it shall be lawful for him, upon resigning such rectory, to be again placed on the list of annuitants, as soon as a vacancy shall arise; and nothing in this By-law shall be construed so as to prevent an exchange being made between the incumbent of such rectory and an annuitant of this fund, provided such change has the sanction of the Bishop. Provided further, that any clergyman who by reason of ill health shall resign his incumbency, shall be entitled to be placed on the list of annuitants as aforesaid.—1877, p. 42.

9. As soon as a surplus shall arise in the Commutation Fund beyond what may be required to make up the advance from \$300 to \$400 to which any annuitant already on the list may meanwhile have become entitled, it shall be the duty of the Special Trust Committee to request the Lord Bishop to furnish the said committee with a list of those clergymen who are entitled to claim under this By-law.—1877, p. 42.

10. If a clergyman, either one of the original Commutants or one who has been placed on the surplus of the Fund, should die while in receipt of an income from this Fund, leaving a widow and unmarried children under eighteen years of age, or being a widower, should leave children under eighteen years of age, the current quarter's stipend and that for the next ensuing quarter shall be paid to such widow, or in the event of his not leaving a widow, to the legal guardian of such children.—1879, p. 58.

II.—MISSION FUND BY-LAW.

See journal 1876, p 72 ; 1878, pp. 35 and 37 and Appendix A.; and 1880, p. 48.

I. Constitution of the Mission Board. (See Art. XXII, of the Constitution of the Synod.)

"There shall be appointed annually by the Bishop on the morning of the second day of the Synod, three standing committees, each consisting of six clerical and six lay members of the Synod, of whom five shall form a quorum, and who shall be called together by the Secretary-Treasurer at such stated times as may be appointed for these meetings, or upon the requisition of the Bishop, the Chairman or any three members of each committee. Said committees shall be designated respectively.

I. Executive Committee.

II. Special Trust Committee.

III. Mission Board."—1878, p. 37.

2. Duties of the Mission Board. (See Art. XXV. of the Constitution of the Synod.)

"(a) It shall be the duty of the Mission Board to administer the Mission Fund of the Diocese, which shall consist of all special collections made from time to time in the Churches and Chapels of the Diocese in aid of the same, and of the interest on the legacies, of all donations and subscriptions, and of all collections for missionary objects to be made annually, as hereinafter provided, in the parishes and missions of the Diocese, and of the interest derived from the invested proceeds of sales of lands given for missionary purposes, in accordance with the Canons and By-Laws to be adopted by this Synod.

(b.) The Mission Board shall also be charged with the care of the Widows' and Orphans' Fund of the Diocese, and all claims for pensions to widows and orphans of the clergy of the Diocese shall be referred to the said Mission Board, by whom such claims shall be decided upon and paid on approval of the Bishop according to any By-Law adopted by this Synod. It shall also be the duty of the said Mission Board to make annually to the Synod a detailed report of the state of the fund specifying its several securities; the amount of income which they each and altogether yield; the number of widows and orphans on the fund; and the amounts which they severally receive.

(c.) The Mission Board shall also have charge of the Theo-

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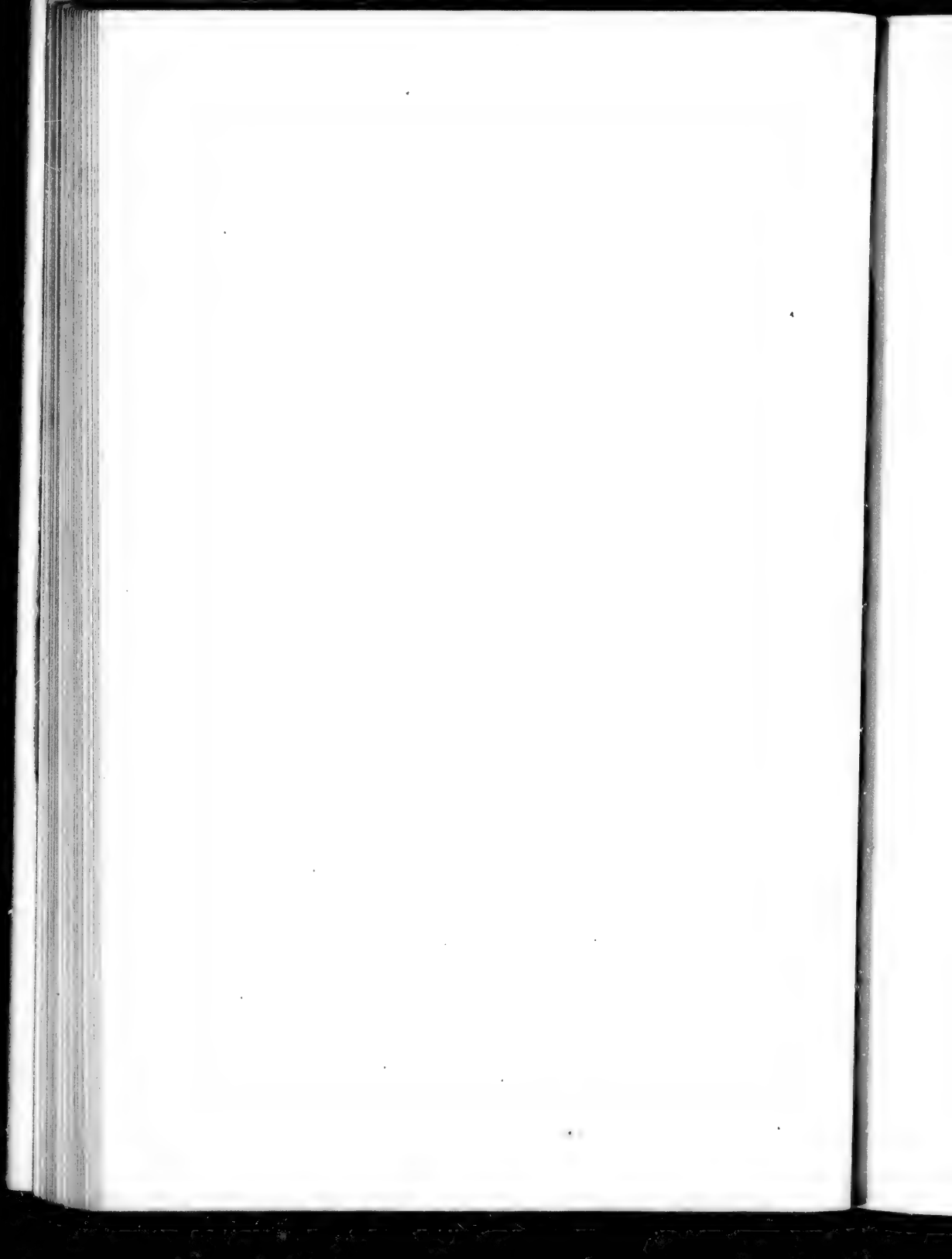
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logical Students' Fund for the same objects and upon the trusts, on which the same are now held, or in accordance with any By-Law of the Synod which may hereafter be lawfully adopted, and shall report annually to the Synod the condition of said fund and the mode in which it is administered.

(d.) The Mission Board shall also adopt measures for the creation and administration of a fund for the support of disabled clergymen, and report annually to the Synod on this subject.—1878, p. 37.

3. Principles and objects of the Mission work.

In order to carry out more effectually the Mission work of the Diocese, it is desirable that the following principles and objects should, as far as possible, be kept in view:—

(1st.) To apply the Mission Fund so as to elicit the greatest amount of local effort, and to render each Mission, as soon as practicable, self-supporting.

(2nd.) To grant to each Mission just so much aid as it requires; taking up each case on its own merits.—1878, p. 37.

But it shall be lawful for the Bishop to appoint a travelling Missionary to such place or places where, from the poverty of the people or other sufficient reasons, guarantees for any specified sum cannot be obtained, the Mission Board paying the whole of his stipend for such time as the Bishop and Mission Board may deem necessary.—1880, p. 48.

(3rd.) To raise the present scale of the remuneration of our missionaries.

(4th.) To render the payment of the missionaries' stipends as certain and regular as possible, without wholly destroying the wholesome stimulus implied in the voluntary system.

(5th.) To make it the duty and interest of the missionary to urge the claims of the Mission Fund upon his people, while at the same time relieving him of the invidious task of pleading before them for his own remuneration.

(6th.) To make provision, when the interests of the church require it, for the removal of any missionary.—1878, p. 37.

4. Ruridecanal Committees on Missions.

To carry out the aforesaid objects, there shall be appointed annually, by the Bishop, during the session of the Synod, for each Rural-deanery of the Diocese, two clergymen and two laymen, being communicants and living in the Rural-deanery for which

they shall be appointed, who with the Archdeacon and the Rural Dean shall constitute a Committee on Missions for that Rural-deanery; and a quorum of the said committee shall consist of the Archdeacon or Rural Dean and any two other members.—1878, p. 37.

5. Ruridecanal Committee to visit Missions.

Before a grant be made by the Mission Board in aid of any Mission, it shall be the duty of the said committee, on being requested to do so by the Archdeacon or Rural Dean, instructed by the Bishop, to visit the said Mission and confer with the several congregations thereof, for the purpose of ascertaining their resources and arranging with them as to the amount which each may be fairly expected to raise towards the stipend of their missionary; and the said committee shall report to the Bishop, within one week of their visit, the result of their enquiries, the arrangements they have made with the several congregations, and the action they recommend.—1878, p. 37.

6. Ruridecanal Report and action of the Bishop.

The above report, with such remarks thereon as the Bishop may deem fit, shall be laid before the Mission Board at its next ensuing meeting, when the Board shall decide as to the amount, if any, of the grant to be made towards the support of a missionary in said Mission. And such grant shall date from the time of the agreement hereinafter provided for, to be made with the several congregations of the Mission; or in case of the appointment of a new missionary from the time of the appointment of the said missionary.

Should the Board decide that the amount offered by the several congregations of the Mission be insufficient, the report shall be referred back to the Ruridecanal Committee, with the reasons for such reference, who shall thereupon confer again with the congregations in question.—1878, p. 37.

7. When agreement may be entered into.

Whenever the Mission Board and the several congregations of any Mission have agreed as to the amounts they shall severally contribute towards the stipend of their missionary, (which stipend shall never be *lower* than, for a clergyman in Priest's orders, \$800 per annum, and for a clergyman in Deacon's orders, \$600 per annum, unless in cases where the Bishop of the Diocese and three-fourths of the members of the Mission Board present at any meeting of the Board agree to accept a smaller sum in lieu thereof), it shall be the duty of the Secretary-Treasurer of the

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Synod to enter into a written agreement in duplicate, with two or more members of such Mission, approved by the Mission Board, according to the accompanying form—1878, p. 37.

BETWEEN the Board of Missions of the Synod of the Diocese of Niagara, and two or more members of the Congregation of the Mission of

WITNESSETH, that the undersigned members of said Congregation do hereby undertake and agree, on behalf of said Congregation, to have the annual sum of _____ dollars, lawful money of Canada, or whatever proportion of the same may then be due, collected and paid on the first day of the ensuing quarter, and thereafter quarterly on the first days of January, April, July and October in each year, to the Secretary-Treasurer of the Synod of said Diocese, so long as the ministrations hereafter agreed upon to be afforded to said congregation shall be continued.

The Services referred to in the above paragraph shall be

and in consideration of the regular and punctual payment of the above-mentioned sum, the Board of Missions aforesaid hereby undertakes to maintain such ministrations of the Church, in the place and at the time mentioned above, so long as the said sum shall be paid.

The present agreement is for the term of three years, counting from the

Dated at _____
the _____ day of _____ in the
year of our Lord one thousand eight hundred and seventy

SIGNED AND SEALED IN THE
PRESENCE OF

8. Stipends to be paid quarterly.

These agreements having been thus entered into, it shall be the duty of the Secretary-Treasurer of the Synod to pay quarterly on the first days of January, April, July and October, out of the General Mission Funds of the Diocese, whatever proportion of the stipend of the missionary, who shall have been appointed by the Bishop to the said Mission, shall have become due.—1878, p. 37.

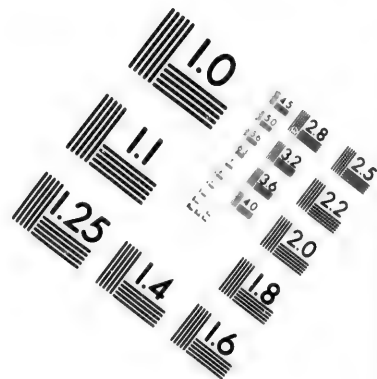
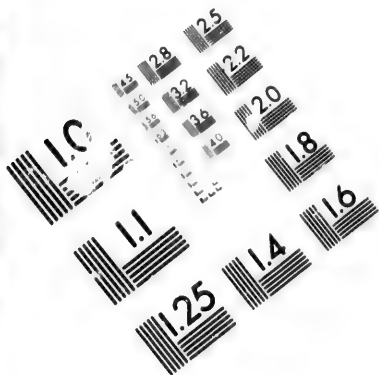
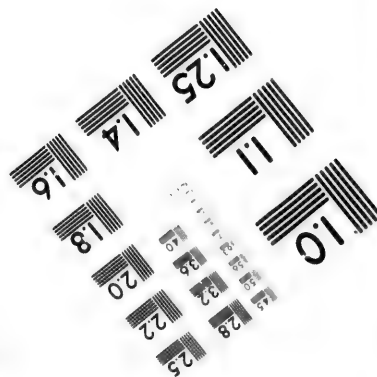
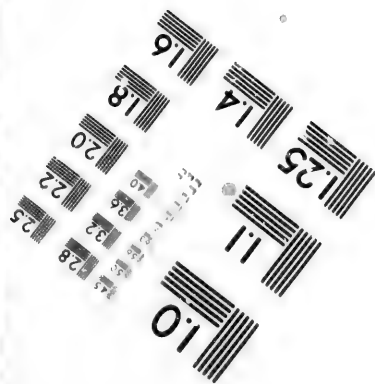
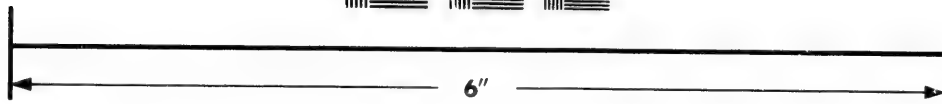
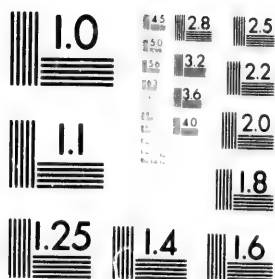
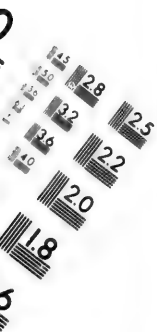


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9. Engagements to extend over three years.

Every engagement between the Board of Missions and the congregations of any mission shall be binding upon both parties for three years, unless otherwise agreed upon; but it is expressly understood that every such engagement shall be liable to revocation or modification at the end of each three years; or on a change in the missionary in charge; or whenever two-thirds of the Board present at any meeting of the same see sufficient reason to alter their estimate of the pecuniary ability of the mission, notice of such proposed modification or revocation having been given at one meeting of the Board, and discussed and disposed of at the next.—1878, p. 37.

10. Notice in case of failure to remit.

Whenever any congregation shall fail to remit the amount agreed to be paid to the Mission Board by said congregation, or any part of the said amount, then six weeks after the same shall have become due (the amount still remaining unpaid) it shall be the duty of the Secretary-Treasurer of the Synod to report the said failure to the Bishop, who shall thereupon instruct him to transmit to the missionary, and also to the churchwardens of the congregation in arrear, copies of the following notice:

TO THE CHURCHWARDENS AND MEMBERS OF THE CONGREGATION OF

.....

I have been directed by the Mission Board to notify you that the contribution due from you on the day of ult. to the Mission Board of the Diocese being still (in part or in whole as the case may be) unpaid, the services of your missionary will, after Sunday next (or from this day) be suspended by order of the Bishop, in accordance with a standing rule of the Synod to that effect, until the payment as agreed upon is duly made.

This may seem a severe measure, but the Board of Missions have been unable to devise any other just and practicable Canon which might bring home to all parties the gravity of the occasion, and the imperative necessity of prompt and decisive action.

I am, Gentlemen,
Your obedient Servant,

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Sec'y-Treas.

This notice shall be read to the congregation in arrears on the

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two Sundays on which service is held next after the receipt thereof.

On causing any congregation to be thus notified, the Bishop shall also instruct the Committee on Missions for the Rural Deanery to ascertain, as soon as practicable, the cause of such failure.

It shall be the duty of the missionary in charge of the defaulting congregation, and of the churchwardens thereof, to appear before the said committee, on being notified by the chairman of the time and place of their meeting, which place shall be within the mission to which the congregation belongs.—1878, p. 37.

11. Committee to examine and report.

A full written report of all the evidence taken by the committee with their opinion on the merits of the case, shall be forwarded to the Bishop within one week after the completion of the inquiry by the Archdeacon or Rural Dean presiding, and authenticated by his signature; and on receiving this report, the Bishop shall forthwith forward it to the Mission Board, with any remarks appended thereto that he may think proper.—1878, p. 37.

12. Remedy in case arrears continued.

Should the congregation be reported in fault, and still neglect or refuse to pay up its arrears, the mission of which it forms a part may, with the approval of the Board, be reconstructed, the defaulting congregation being excluded. And on its becoming necessary for the Board to recommend to the Bishop the removal of the missionary in consequence of the non-payment of his stipend by the mission at large, on its being made apparent that such failure is not due to any fault of his own, the Board may at its discretion make him an allowance for the expenses of his removal, charging the same to the account of the mission in arrears, and such arrears and charges shall be paid in full before a subsequent grant shall be made to the same mission; provided, however, that in every such case the Board may aid in sustaining another clergyman to serve the mission, at such time and on such conditions as two-thirds of the Board present at any meeting of the same may determine, and the Bishop may sanction.—1878, p. 37.

13. Removal of Missionaries.

The power to appoint or remove missionaries being recognized by the Board as resting exclusively with the Bishop of the Diocese, it shall nevertheless be within the province of the Board to represent to the Bishop in any particular case the necessity for the removal of a missionary, upon which he shall take such action as he sees fit.—1878, p. 37.

14. Who shall not serve on committee, and when.

No clergyman or layman shall serve on the Ruridecanal Committee on Missions when his own mission forms the subject of enquiry ; and the missionary in charge of any mission concerning which enquiry is to be made, shall have the right of objecting to any member of the committee, on showing cause for so doing to the satisfaction of the Bishop, who shall thereupon appoint another in the room of the one objected to, so far as this case is concerned.—1878, p. 37.

III—VESTRIES IN FREE CHURCHES.

See Journal 1875, p. 34 and Appendix C. ; and Journal 1876, p. 69;

In all churches in this Diocese where by reason of the seats being free no vestry can be formed, the male and female members of the congregation at each said church shall have power and authority to form a vestry, and such vestry shall consist of all members of the congregation within the cure, of twenty-one years of age or upwards, who shall annually sign the Declaration set forth in Section II. of the Constitution of this Diocese. And being so formed and constituted, such vestry shall have the same power and authority to do and perform such matters and things as are possessed and done by vestries formed of holders of pews or sittings in other churches.—1876, p. 70.

IV.—MISSIONARY MEETINGS AND DIOCESAN COLLECTIONS.

See Journal 1875, p. 37 and Appendix A. ; and Journal 1886, p. 66.

1. It shall be the duty of every Incumbent of a Parish or Mission in this Diocese, to hold annually, in connection with each organized congregation within his Mission or Parish, a missionary meeting, or special missionary service for the purpose of creating and maintaining an interest in the missionary work of the Church, on which occasion a collection shall be made in aid of missionary work beyond the bounds of the Diocese.

2. The times and places of such meetings or services shall be arranged by the Bishop, who shall also appoint the deputations, which deputation when appointed, shall be required to attend the same, unless excused from such attendance.

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3. It shall also be the duty of each Incumbent, as soon as possible after such meeting or service has been held, to cause a collection to be made from house to house within his Parish or Cure, or to secure from each adult a contribution through envelopes towards the amount required from the congregation under the apportionment scheme of the Diocese.

4. It shall further be his duty to make the following collections in each year in all the churches and places where divine service is celebrated within his Parish or Cure, namely :

At Epiphany, for Foreign Missions.

On Sunday after Ascension Day, for Algoma and North-West Missions.

On Thanksgiving Day, for Disabled Clergymen.

Day of Intercession, 30th November, or one of the next eight days, any missionary object selected by the Incumbent.

On such day or days as he may consider most advisable, for Diocesan Missions, the Widows' and Orphans' Fund, and the Divinity Students' Fund.

5. It shall be the duty of the Secretary-Treasurer to send to each Incumbent (if requested by him at least three weeks before the day on which he intends to take up a collection mentioned in this By-law), such a number of envelopes as he may require, with the designation of the particular object or objects of the said collection, the amount of the apportionment of the particular Parish or Mission, and a blank space for the name of the contributor.—
1886, p. 66.

RESOLUTIONS.

I.—FINANCIAL YEAR.

1. That the Financial Year terminate on the 31st December,—1875, p. 34.
2. That the Financial Year shall terminate on the 31st March in each year.—1877, p. 49.

II.—HYMN BOOK.

1. That the question of a Church Hymn Book be deferred until action be taken by the Provincial Synod.—1875, p. 34.
2. That the matter of a Church Hymn Book be deferred until action has been taken by the Provincial Synod, as the subject is at present under the consideration of a Committee appointed by that body.—1876, p. 67.
3. That this Synod present a memorial to the Provincial Synod, praying them to adopt one uniform Hymn Book, for the use of Churches in this Ecclesiastical Province.

MEMORIAL.

To the Right Reverend the Bishops, the Clergy and Laity of the Provincial Synod of the Ecclesiastical Province of Canada:

The Memorial of the Synod of the Diocese of Niagara respectfully sheweth :

That in view of the importance of having one uniform Hymn Book in use in the churches of this ecclesiastical Province, this Synod desires to urge upon the Provincial Synod, the taking of such steps as may to them seem most expedient for the accomplishment of this object.—1877, p. 50.

III.—OFFERTORY AT EVENING SERVICE.

That, as there is no legal provision made for the time and manner of taking up the collection at the afternoon or evening service, the Synod recommends that the collection be taken up after the sermon, the clergyman going to the Chancel and reading one or more of the Offertory sentences, whilst the offerings of the congregation are being made.—1875, p. 36.

IV.—CHRISTMAS OFFERTORY.

That the annual Christmas Offertory be handed over, without

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any deduction, to the clergyman of the parish, as a gift to him ; and that the Lord Bishop be requested to send annually, circulars to the Church Wardens of the several parishes, recommending liberal contributions.—1875, p. 37

V.—DIVISION OF TORONTO DIOCESAN FUNDS.

1. That the Lord Bishop be requested to communicate with the Lord Bishop and Synod of Toronto, desiring the appointment of Commissioners, to act with Commissioners of this Diocese, to determine a joint basis of division of the funds of the Church, and to carry out the same as soon as this Diocese is incorporated ; and that the said Joint Commission be instructed to enquire what claims (if any), the Diocese of Algoma has on the said funds ; and the Commissioners on behalf of this Diocese be the Rev. Dr. McMurray and Edward Martin, Esq.—1875, p. 38.

2. That the Report of the Commissioners for the division of the funds between the Dioceses of Toronto and Niagara be received and adopted, and inasmuch as there are several matters in connection with the division of the funds which the Commissioners have been unable, after repeated discussions, to bring to a final settlement, and it being desirable that all such matters should be disposed of as speedily as possible, the Commission be continued with full powers to take whatever steps may seem to them requisite for the adjustment of the existing differences which prevent the final settlement of the accounts. And further resolved, that the action of the Commission in regard to points already settled be ratified by the Synod.—1876, p. 57 and 63.

3. That the Special Trust Committee be instructed to apply to the proper authorities of the Diocese of Toronto, for any money acknowledged as belonging to the Diocese of Niagara, and now in the hands of the Treasurer of the Diocese of Toronto, and to invest the same as provided by the by-laws of this Synod, and also be empowered to apply for and receive all moneys and securities hereinafter to be handed over to this Diocese by the Diocese of Toronto.—1876, p. 72.

4. That the thanks of the Synod are due to the Commissioners, who have been entrusted with the division of the funds between the Dioceses of Toronto and Niagara, for the very satisfactory manner in which they conducted very difficult negotiations, and in which they have fulfilled their duties, as evinced by the report.—1877, p. 47.

5. That the Commissioners on the Division of Funds between the Dioceses of Toronto and Niagara, be continued in office with

full power to make final settlement of all funds and accounts still unsettled between the two Dioceses.—1877, p. 52.

VI.—CHURCH TEMPORALITIES ACT.

At the session of 1876, the Bishop having stated that it was necessary to draft an Act to take the place of the "Church Temporalities Act," appointed the following Committee for that purpose, namely: The Rev. Rural Dean Holland, B.A., the Rev. D. I. F. MacLeod, M.A., and Messrs F. E. Kilvert and Frederick Biscoe.—1876, p. 50.

Subsequently the Committee submitted the following report which was adopted.

REPORT.

The Committee on the Church Temporalities Act beg to report that whereas, while power is conferred upon the Synod by the Act of Incorporation to "make rules, regulations and by-laws, for the management of all the affairs of the Diocese of Niagara," notwithstanding anything contained in the "Church Temporalities Act," the operation of the said Church Temporalities Act is not thereby meanwhile suspended, and while they fully admit there are matters with respect to which the Synod may with advantage make such regulations under the powers thus conferred, still, in view of the importance of the subject and the necessity for careful and well considered action, the Committee recommend that no alterations should be at present proposed, but that the subject be referred to a larger Committee to report at the next meeting of the Synod.—1876, p. 55.

At the session of 1877, the Committee submitted the following Report which was adopted.

REPORT.

The Committee on the Church Temporalities Act beg leave to report that on a close and careful examination of the Act of Incorporation of the Synod of this Diocese, they find that it is at least a matter of great doubt how far the powers thereby conferred on the Synod enable it to alter or repeal the provisions of the Church Temporalities Act, now in force in the Province of Ontario.

Under these circumstances, the only course the Committee can recommend is, that on the adoption of a Temporalities Canon by this Synod, such Canon shall be submitted to the Parliament of Ontario for its sanction, in order that no question may thereafter arise as to its legality; provided, however, that meanwhile similar action has not been taken by the Provincial Synod.

The inquiries, which have resulted in the conclusion stated above, have occupied so much time as to render it impossible for the Committee to present a Temporalities Canon to the Synod at its present session. The Committee therefore respectfully ask to be re-appointed with an addition to their number, in order that such a Canon may be prepared and presented to the Synod at its next session.—1877, pp. 36 and 49.

At the session of 1878, the Committee submitted the following report.

The Committee on the Church Temporalities Act beg to report that the

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only course which, in their opinion, it is competent for the Synod to take with respect to this matter, is to make application to the Legislature for a fresh Act, making provisions for the altered circumstances of the Church since the former Act was passed. They have drafted a bill to be laid before Parliament, and now respectfully submit the same for the approval of the Synod.—1878, p. 33.

Upon a motion being made for the adoption of the Report, the following amendment was carried.

That the Report of the Committee on Church Temporalities Act be not now adopted, but that the co-operation of the several Dioceses in the Province of Ontario be sought in an application to the Provincial Legislature for a general amended Church Temporalities Act; and that for this purpose a Committee of three be named by the Bishop, to communicate with the several Dioceses on the subject, requesting their appointment of similar committees, to which joint-committee shall be entrusted the duty of maturing such a Bill as shall meet the requirements of the Church in this Province, and report the same at the next meeting of their respective Synods. This resolution shall be at once sent to the several Dioceses in Ontario, by the Secretary-Treasurer, to be submitted at their next meetings.—1878, p. 34.

VII.—EPISCOPAL ENDOWMENT FUND.

1. That his Lordship, the Bishop, be requested to appoint one canvasser or agent for each Rural Deanery, to collect funds to complete the Episcopal Endowment Fund, in accordance with the recommendation contained in the report (of the Special Trust Committee).—1876, p. 51.

2. That the Report (of the Special Trust Committee) be adopted, and that this Synod desires to urge upon the Special Trust Committee the importance of not merely augmenting the Episcopal Endowment Fund by the collection of unpaid subscriptions, but that active steps be taken by the Committee, as soon as practicable, for the completion of the Endowment, by prosecuting the canvass for new subscriptions generally in the Diocese.—1878, p. 35

3. That the following clause be added to the report of the (Special Trust) Committee, namely:—"Your Committee recommend that his Lordship, the Bishop, be requested to appoint a Special Committee for the purpose of completing the subscription to the Episcopal Endowment Fund, and that such Special Committee be directed to take steps at an early date for the purpose aforesaid, and that until the completion of the said Endowment Fund, this Synod should neither cancel the Bond referred to in the report, nor cancel or abandon any other securities held by this Synod for any portion of said Fund," and that with this addition the report be adopted.—1879, p. 41.

4. That the Secretary-Treasurer be directed to lay on the table on the first day of the meeting of the next Synod of this Diocese,

a statement of the Episcopal Endowment Fund, giving the following particulars, made up to the 30th April then last.

1. The total amount paid in and invested.
2. The amount then yet to come due upon any notes or obligations payable in instalments.
3. The names of all persons in arrear, arranged alphabetically, and the amount due by each person so in arrear.
4. The amount of new subscriptions received during the year and the names and amounts of the subscribers.—1879, p. 59.
5. That the report of the Committee for completing the subscription to the Episcopal Endowment Fund be adopted.—1880, p. 44.
6. That the attention of the Special Committee appointed for the purpose of completing the subscription to the Episcopal Endowment Fund be called to the very unsatisfactory position of that Fund, and that they be instructed to adopt vigorous measures to complete the Endowment Fund and report the result of their labors at the next meeting of Synod.—1881, p. 54.
7. That the Secretary-Treasurer be requested to add the following particulars to the yearly statements of the Episcopal Endowment Fund which he is now required to present to the Synod, viz :
 1. Total amount of subscriptions reported before any subscriptions were procured by Special Committee appointed in 1879.
 2. Estimated value of the old and new subscriptions, whether due or accruing, stating separately the value of the old and new subscriptions —1881, p. 55.
8. That the General Statement with reference to the Episcopal Endowment Fund, now laid on the table, be printed with the Report of the Special Trust Committee, and that the names of subscribers in arrears on the 31st March, 1883, be then inserted for printing with the Report of the Committee to be presented at the next meeting of the Synod ; and further, that the subscribers be notified of this resolution.—1882, p. 54.
9. That the Special Trust Committee do report to the Synod at the next meeting, on the state of subscriptions past due and yet unpaid to the Episcopal Endowment Fund, showing what amount may be considered good and collectable, and to make a recommendation respecting the best method of speedily realizing the same.—1883, p. 53.
10. That the Report of the Committee on the Episcopal Endowment Fund be adopted —1884, p. 58.

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11. That the Special Committee on the completion of the Endowment Fund be re-appointed, with the addition of the Ven. Archdeacon Dixon, B. A., the Rev. Hartley Carmichael, M. A., and Mr. Adam Brown.—1884, p. 59.

12. That the Report of the Committee on the Episcopal Endowment Fund be adopted.—1885, p. 54.

13. That the thanks of the Synod are due and are hereby tendered to the Chairman and members of the Episcopal Endowment Fund Committee for the very efficient way in which they have discharged their duties, and that they be re-appointed.—1885, p. 54.

14. That the Special Trust committee report on the state of subscriptions past due and yet unpaid to the Episcopal Endowment Fund, showing what amount may be considered good and collectable, and make a recommendation as to the best method of realizing the same, and also to obtain the opinion of the Chancellor respecting the validity of the Bonds given for the payment of interest to said Fund.—1885, p. 61.

NOTE.—For the opinion of the Chancellor, see Journal 1886, p. 50.

VIII.—APPORTIONMENT.

1. That in view of the importance of the subject and the necessity of careful and well considered action, the subject be referred to a committee to report thereon at the next meeting of Synod. That all the Clergy be requested to furnish the committee with all the information necessary to come to a just conclusion, especially as to returns, and that the committee be requested in their Report to furnish a draft of such apportionment.—1876, p. 65.

2. In 1877 the following report of the committee was adopted, see Journal, 1877, p. 47.

REPORT.

The committee appointed at the last meeting of this Synod for the purpose of considering the best method of providing for the various funds required for all Diocesan purposes, and to meet the claim of the Diocese of Algoma, beg leave to report :

That they have carefully considered this important subject, and the various plans proposed for raising the annual revenue of the Diocese, and after mature deliberation have arrived at the following conclusions :

1. That it is desirable that the several standing committees of the Diocese should be required to prepare annually, two months before the meeting of the Synod, a statement or estimate of the probable needs of the various funds of the ensuing year.

2. That the whole amount thus ascertained shall be apportioned among the Parishes and Missions of the Diocese, taking as a basis for such apportionment : First, the assessed property of those returned upon the

assessment roll as members of the Church of England; Second, the statistical report required by the Bishop from each Parish and Mission; Third, the number of the stated members of the congregation; and Fourth, any other source of information from which the ability of the several congregations may be ascertained.

3. That the clergyman, churchwardens and delegates in each parish or mission, shall be a committee to devise the best means, according to their judgment, for raising their share of the amount required, and that the amounts raised by the stated quarterly collections shall be considered as forming a part of their resources.

With regard to any exemption from the apportionment, they recommend that any parish or mission now receiving aid from the Mission Fund, on declaring itself ready to contribute at least \$800.00 towards the stipend of its incumbent, shall not be assessed for two years from the date of its becoming independent, except for Synod expenses.

In accordance with the foregoing conclusions and recommendations, the Committee submit the following Apportionment Roll, or scheme of distribution, among the several parishes and missions of the Diocese, of the whole required during the current year, and which has been estimated at not less than \$8,000.00.

In 1878, the following report of the Committee was adopted with this addition.

"That so much of the Canon on the assessment of parishes as enjoins the consolidation of the various amounts required for carrying on the work of the church be repealed, and in lieu thereof that the sums needed for each of the various objects shall be in future estimated in detail, and apportioned amongst the several parishes; and that the report so amended be adopted"—See journal 1878, pp. 31 and 33.

REPORT.

The Apportionment Committee of the Synod of the Diocese of Niagara, beg to report that they have given a careful consideration to the question whether it is desirable to make any change in the Apportionment Roll for the ensuing year; but inasmuch as the time which has elapsed since their last report has been too late to enable them to judge of its successful working, (many of the parochial returns not having yet been received), they would therefore recommend that the same scale of distribution of the amount required for the Diocese, which was adopted for the past year, continue in force for the current year; except in the case of those parishes or missions in which a readjustment of boundaries has taken place.

The Committee further would recommend that for the future the duty which they have discharged for the last and current year, should be remitted to the Executive Committee as properly appertaining to that body.

4. That this Synod desires to express its deep regret at the fact, that 29 out of 49 parishes have failed to make up the full amount apportioned to them for diocesan purposes for the year ending 31st March, 1881, thereby causing a deficiency of \$932.83 in the apportionment account, and that the Secretary be directed to communicate with the clergymen and church wardens of these parishes, requesting them to remit at once the amount of their deficiency or to assign satisfactory reasons to the Executive

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Committee for failure to do so; and that the Executive Committee be hereby empowered to send some one to those delinquent parishes which are unable to give satisfactory reasons, to endeavor to make up the amount of their apportionment under the direction of their clergymen.—1881, p. 55.

5. That the Secretary-Treasurer be again directed to communicate with the clergymen and churchwardens of the parishes in default, requesting them to remit the amount of their deficiencies with as little delay as possible, or to assign to the Executive Committee their reasons for failure to do so; and that the amounts received be published for the information of the Synod in next year's report.—1882, p. 54.

6. That each Rural Dean throughout the Diocese should select and invite a deputation of prominent Laymen from the several parishes in his Deanery to meet at some convenient time or times during the year, to discuss with the members of the Deanery the best method to be adopted in the several Parishes within his Deanery for raising the amount apportioned to each Parish; and that a report of the several meetings be sent to the Executive Committee of the Synod before its final meeting, prior to the next annual meeting of Synod.—1884, p. 28.

7. That the Executive Committee report a list of Parishes who have not made up their apportionment to the Rural Dean, who, with the Mission Committee, shall meet these Parishes for the purpose of arriving at some definite understanding for the future regarding the Synod apportionment, and report to the Executive Committee.—1884, p. 29.

8. In 1886 the following resolution was proposed, but an amendment was adopted, referring it to the Executive Committee for consideration.

That the Executive Committee be instructed to revise the Synod Apportionment List, taking, as the basis of revision, the incomes of the Clergy derivable from voluntary contributions and Parish endowments, and stating, in the case of two or more congregations united under one pastoral care, the amount which each congregation should contribute towards the apportionment of said Parish or Cure.—1886, p. 74.

IX.—ALGOMA.

1. That whereas in the erection of the Diocese of Algoma, the Clergy and Laity of this portion of the then existing Diocese of Toronto united with the rest of the Canadian Church in pledging themselves to a certain annual payment towards the stipend of

the Bishop of Algoma ; and further, as a part of the then Diocese of Toronto may be reasonably expected to contribute towards the support of missions in the Diocese of Algoma ;

And whereas the Diocese of Toronto has since the 1st of July last, withdrawn three-sevenths of its contributions towards both of these objects ;

Be it resolved : That in addition to the collection made under the existing By-law at annual missionary meetings and services for "mission work beyond the bounds of the Diocese," a collection shall be made for the same object in all Churches of the Diocese on Good Friday in each year, and that the proceeds of the said collections (unless when appropriated to other missionary objects by the contributors), after there has been paid over to the Lord Bishop of Algoma the sum of \$172 towards his Episcopal salary, shall be placed at his disposal for mission work within his Diocese. That of the amount collected for the Diocese of Algoma in October last, and now in the hands of the Secretary-Treasurer, the sum of \$344.00 be transmitted to the Bishop of Algoma, on account of that portion of his Episcopal salary which this Diocese is entitled to bear.—1876, p. 66.

2. That this Synod cordially approves of the resolution of the Provincial Synod respecting the endowment of the See of Algoma, but that under the present circumstances of the incompleteness of the endowment for this Diocese, the Synod does not feel at present that it can take any action in the matter.—1880, p. 50.

3, That in paying over to the Board of Home Missions the amount collected towards the assessment of this Diocese, the Board be instructed, in the first instance, to pay to the Diocese of Algoma the full amount in which this Diocese stands pledged to the Diocese of Algoma.—1881, p. 53.

4. That whereas it has pleased Almighty God, in His wise providence, to call to his rest the late Right Reverend the Bishop of Algoma (the first Missionary Bishop of the Canadian Church), this Synod desires to express its sympathy with the Diocese, which has thus been bereaved of its beloved father and head ; and at the same time to record its thankfulness to the Great Head of the Church for the graces of faithful devotion to His service, and patient and unwearied effort in the face of great difficulties, so signally vouchsafed to the departed Prelate.

5. That this Synod would express its sincere thanks to Almighty God for the unanimous election of the Rev. Dr. Sullivan to the Missionary See of Algoma. It would also with the

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Bishop elect every blessing on his labors, and assure him of the sincere intention of the Diocese of Niagara to support him heartily in his future work.

6. That this Synod cheerfully accepts the appropriation (\$500), proposed by the Provincial Synod, to be assumed by the Diocese of Niagara, for the support of the Bishop of Algoma.—1881, pp. 38 and 53.

X.—QUARTERLY AND SPECIAL COLLECTIONS.

That the Synod of this Diocese recommend and urge that hereafter all special and quarterly collections be sent *in full*, without any deduction from the same, to the Secretary-Treasurer of this Diocese.—1876, p. 66.

XI.—ADDITIONAL MISSIONARY WORK.

That in order to provide for more effectual missionary operations, as soon as possible, the sum of \$1,000.00 per annum be placed at the disposal of the Bishop, to enable him to send a clergyman of tact and experience to visit and minister in places where the people at first may be unable or unwilling to contribute towards a missionary's support. The whole of such clergyman's stipend being guaranteed to him and paid by the Mission Board. 1876, p. 67.

XII.—DIOCESAN CHURCH LIBRARY.

1. That to enable the clergy to meet the sceptical objections of the day, as well as to keep them informed of the progress which is being made in the various departments of Arts, Sciences and Modern Discoveries, steps be at once taken for the establishment of a Diocesan Church Library; and in order to carry out the resolution, the Ven. the Archdeacon, the several Rural Deans, and the Rev. Canon Dixon, B. A., be a committee.—1876, p. 68.

2. That the Ven. Archdeacon McMurray, D. D. D. C. L., the Rev. Canon Dixon, B. A., and the Rural Deans, be a committee to consider and recommend to the Synod at its next meeting the best method for the establishment of a Diocesan Church Library. 1877, p. 51.

3. In 1878 the committee submitted the following report, which was adopted.—1878, p. 34 :

REPORT.

The Committee on the formation and establishment of a Diocesan Clerical Library beg to recommend as follows :

That the various grants from the Brays Associates form the nucleus of such

library, to be kept in the City of Hamilton, in such place as may be agreed upon. That one of the Hamilton clergy be appointed Librarian, who shall keep a Register, in which shall be recorded the name of the borrower, the book borrowed, and the return.

That once or twice each year, at a time to be specified, at each Ruridecanal Chapter, the clergy of the Deanery shall recommend such book or books as they may desire should be added to the Library. And from these lists the Managing Committee shall select such books as the funds at their disposal may enable them to purchase, and which they may deem most necessary.

That each clergyman subscribe \$. towards the purchase of one book.

That the Committee of Management be the Archdeacons, the Rural Deans, and the Bishop's Examining Chaplain.

XIII.—ENDOWMENT OF PARISHES.

That the subject of the endowment of parishes be considered, and if possible, steps taken by which every parish without any endowment may obtain such, and that the incumbent of every parish with a certain endowment be termed Rector, giving such parish or parishes certain privileges; the within subject to be considered during the ensuing year, and taken up at the next meeting of the Synod.—1876, p. 58.

XIV.—DIVINITY STUDENTS' FUND.

1. That the Synod adopts the Mission Canons, and By-laws for the Mission and Theological Students' Funds, as they existed in the Diocese of Toronto at the time of the separation of the Diocese of Niagara.—1876, p. 72.

2. That in order to create a fund for the aid of the Divinity Students in this Diocese, the amount of \$100. be added to the estimate for the year, and that the Apportionment Committee be instructed to apportion this in the same manner as the other funds among the parishes of the Diocese.—1881, p. 53.

3. That the Mission Board and the Executive Committee be requested to take steps to increase the Divinity Students' Fund to such an extent as to enable the Bishop, with those Committees, to aid two or three young men annually through their Divinity course of two years.—1885, p. 61.

XV.—EXCHANGES BETWEEN DIOCESES.

1. That this Synod expresses its desire that some scheme should be adopted by which the position of seniority attained by any, should be enjoyed by all clergymen in whatever Diocese they may be serving; and that a committee be appointed by the Bishop to confer with the Synod of the Parent Diocese or a committee thereof, on the subject.—1877, p. 41.

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2. In 1878 the Committee submitted the following report, which was adopted.

REPORT.

The Committee appointed by the Lord Bishop. in accordance with a resolution of the Synod in May last, to confer with the Synod of Toronto, for the adoption of some arrangement by which the clergy removing from one of these Dioceses to the other might retain their claims on certain public funds, beg to report, that they went to Toronto during the session of Synod in June last, and were very courteously received by that body, who appointed a committee to confer with them on the subject. This joint committee discussed the subject very fully and made an unanimous report, providing fully for the object this Synod had in view.

On the presentation of this report to the Synod of Toronto, the principle it advocated was very generally approved, but it was thought undesirable that other Dioceses should be embarrassed in any such arrangement. The Synod therefore re-appointed their committee to continue in office and consult with the other Dioceses, and then confer with the members of your committee.

No such communication has been as yet sent to your Committee. We would therefore suggest that the Committee should be re-appointed in order to complete the work committed to them.—1878, p. 39, see also 1879, p. 57.

3. That the Executive Committee be instructed to correspond with the Executive Committees of the Dioceses of Toronto, Huron and Ontario, with a view to effect an equitable adjustment of the disabilities under which the clergy lie in removing from one Diocese to another, in respect to their claims on the Commutation and Widows' and Orphans' Funds.—1880, p. 50.

XVI.—DISTINCTIVE RELIGIOUS TEACHING OF THE YOUNG.

1. That the subject of distinctive religious teaching of the young be considered by the Synod. And to carry it out, a committee be appointed to consider and recommend books suitable for the young, and for the use of Sunday Schools. Said committee to consist of the Rev. Rural Dean Holland, B.A., the Rev. Canon Worrell, M. A., and the mover, Rev. Rural Dean Osler, M. A.—1877, p. 50.

2. At the session of 1884, the following report from a special Committee upon the same subject was submitted and adopted.

REPORT.

The Committee appointed by the Bishop at this Synod to consider the petition received from the Teachers' Association of the County of Welland, on the necessity of Christian evidences and Biblical instruction forming an essential part of education in the public schools of Ontario, beg leave to report concurrence with said petition, and therefore would respectfully request his Lordship the Bishop in Synod to appoint a committee for the purpose of drafting a memorial, in connection with other Christian bodies, to the Minister of Education of Ontario, urging him to authorize the publication of suitable manuals on the above subjects for use in all our Provincial public schools.—1884, p. 61.

XVII.—REPORT ON THE STATE OF MISSIONS.

That a short and succinct statement be furnished to the Mission Board by the Missionaries engaged in this Diocese half yearly, of the state of their respective missions.—1887, p. 52.

XVIII.—TEMPERANCE.

1. That in accordance with that part of his Lordship's Pastoral, on the subject of the enormous evils of intemperance, this Synod do desire that his Lordship will be pleased to recommend to this Synod some suitable course of action in view of promoting the cause of temperance in this Diocese; and that his Lordship will be pleased to acknowledge the receipt of a Memorial to this Synod on the subject of intemperance, from the Dominion Alliance, for the total suppression of the liquor traffic.—1877, p. 52.

2. That this Synod hails with grateful satisfaction the marked success of the wide-spread work of the Church of England Temperance Society in England and elsewhere, and the steady advance of total abstinence societies in connection with the Church in this Dominion.—1880, p. 49.

XIX.—FEES.

1. That a fee of one dollar may be charged by the clergymen of this Diocese for each official certificate given by them to be used for proofs, or in other legal proceedings.—1877, p. 52.

2. That the Lord Bishop be requested to appoint a special committee to examine the following table of fees prescribed in the Diocese of Toronto, and report on their adaptation to the requirements of this Diocese.—1880, p. 49;

TABLE OF FEES.

To be taken by Clergymen of the Church in Canada, in the

DIOCESE OF TORONTO.

For the following Services, as prescribed by a Special Committee of Synod, and authorized by his Lordship the Bishop of the Diocese.

MARRIAGES (including Registration).....	\$4 00
BURIALS do. do.	2 00
Do. at a distance, do.	3 00
CALLING OF BANNS (payable in advance).....	1 00
BAPTISMS (including Registration).....	No Fee.
CHURCHINGS	No Fee.

(Beyond the accustomed Offering prescribed by the Prayer Book.)

Certificate of Baptism.....	\$1 00
Certificate of Marriage.....	1 00
Certificate of Burial.....	1 00

XX—DIOCESAN CONFERENCE.

That the Lord Bishop be respectfully requested to make necessary arrangements for holding a Diocesan Conference of Clergy and Laity at such time as he shall think best.—1878, p. 38.

XXI.—MINUTES TO BE READ BEFORE ADJOURNMENT.

That in order to secure perfect accuracy in the "Journal of Proceedings" at this and all future meetings of the Synod, the proceedings of the last day be read over and confirmed, before the adjournment of the Synod.—1878, p. 39.

XXII.—CHURCHES AND PARSONAGES.

1.—That a Committee be appointed, called the Church and Parsonage Building Committee, and that it be recommended to all about to build either a church or parsonage house to consult with such Committee before commencing the work or giving out a contract for the same.—1879, p. 58.

2. That whereas, it is desirable to place a check upon unnecessary and unwise expenditure in the building of churches, parsonages and school-houses, as well as upon the erection of unsightly edifices and incommodious dwellings within this Diocese, be it therefore resolved, that a committee be appointed, to be called the Church and Parsonage Building Committee, to which all plans and specifications and all necessary arrangements connected therewith shall be submitted before any contract be entered into; on the said plans and specifications being approved by the Committee and confirmed by the Bishop, they may then be proceeded with.

The Committee shall be appointed annually at the meeting of the Synod, and shall consist of the Archdeacon, the Rural Dean of the Deanery in which the proposed buildings are to be erected, and three lay members of the Synod to be appointed by the Bishop.

The said Committee shall have power to obtain such advice and assistance as they may deem requisite, at the expense of the parish proposing to erect such buildings. It shall not be lawful for the Bishop to sanction any application to any society or individual for funds toward the erection of such edifices when these conditions are not complied with.—1881, p. 54.

XXIII.—TRAVELLING EXPENSES.

That the actual travelling expenses incurred by an official of the Diocese, or a member of one of the Committees of the Diocese, being a clergyman, in the discharge of duties assigned to him by the Bishop, shall be defrayed out of the funds of the Diocese. 1879, p. 58.

XXIV.—PARISHIONERS REMOVING.

That it is the duty of every clergyman in charge of a Parish or Mission, when any parishioner removes from under his charge to some other Parish or Mission, to notify the minister thereof; and every clergyman so notified is bound promptly and duly to acknowledge such notification.—1879, p. 58.

XXV.—DAY OF INTERCESSION.

That this Synod do forward a respectful memorial to the Metropolitan and House of Bishops, praying their Lordships to take into consideration the advantage of having one and the same day set apart as a day of intercession throughout the whole of this Ecclesiastical Province, and, if possible, the same as that to be observed in England; and that his Lordship the Bishop be requested to name a Committee to draft such memorial.—1880, pp. 48 and 51.

XXVI.—MARRIAGE WITH DECEASED WIFE'S SISTER.

That this Synod views with much surprise and regret the recent attempt in the Dominion Parliament to legislate and to permit marriage of a man with a deceased wife's sister, and also of a man with a deceased brother's widow; that this Synod also begs to express great satisfaction at the protest entered by the Bishop of this Diocese against such proposed measure, and trusts that at the Provincial Synod, about to meet in September next, a strong representation will be made on the subject.—1880, p. 50.

XXVII.—OCCASIONAL PRAYERS.

That until such time as the Provincial Synod shall provide occasional prayers for Rogation days, for the sick, for those at sea, and thanksgiving for recovery from sickness, and for a safe return from sea, the Occasional Prayers on these subjects of the Irish and of the American Prayer Books be authorized for use.—1880, p. 51.

XXVIII.—MARRIAGES.

That in order to secure uniformity of practice among the clergy of the Diocese, the House of Bishops in Provincial Synod assembled be respectfully memorialized to instruct the clergy as to their

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duty when called upon to marry a parishioner or parishioners after a single publication of banns, or to marry a parishioner to an unbaptized person.—1880, p. 51.

XXIX.—WIDOWS' AND ORPHANS' FUND.

1. That all the clergymen who have paid annually since the formation of the Diocese, or who shall hereafter pay annually, the sum of five dollars or more to the general funds of the Diocese, shall be regarded as having complied with the conditions of the by-law of the Widows' and Orphans' Fund, so far as their annual contributions are concerned.—1880, p. 51.

2. That whereas the resolution in respect of the W. & O. Fund at page 50 of the Proceedings of the Synod for 1880 is found to be in conflict with the Canon on the W. & O. Fund (at page 61 of the Proceedings for 1879), it is hereby resolved that the words in the second line of the said resolution "or who shall hereafter pay annually" be hereby expunged, and that in future the contribution of five dollars per annum required to entitle the widows and orphans of each clergyman to participate in the benefits of the fund, shall be paid to the Secretary, in accordance with the Canon, independently of the apportionment of the parish to which he belongs.—1882, p. 52.

3. That whereas it is required by the Second Section of the Canon on Widows' and Orphans' Fund, that the Secretary-Treasurer shall lay before the Mission Board at its meeting in April, a list of those clergymen who have complied with the requirements of the Canon, it is hereby Resolved,—That the said list be included in the Annual Report of the Mission Board to the Synod.—1884, p. 60.

4. That the annual contribution of five dollars, paid by any of the clergymen of this Diocese to Widows' and Orphans' Fund, Current Account, or any other fund, and which was intended and should have been apportioned to Widows' and Orphans' Capital Account, be now transferred to Capital Account, and that the Secretary-Treasurer notify each clergyman of his position on the fund.—1884, p. 60.

5. That this Synod pledges itself to the Church in this Diocese to provide for the widows and orphans of any Clergy who may, with the approval of the Bishop of Niagara, at any time during the next eight years, remove to the Diocese of Algoma and remain there, and conform during his service there with the requirements of the By-law of this Diocese, at the same rate as

the W. & O. Fund provides for the widows and orphans of this Diocese.

That the present resolution limits this provision to the next eight years, in the hope that the Diocese of Algoma may, by that time, be supplied with a W. & O. Fund of its own, sufficient to provide for the widows and orphans of its Clergy, at the rate prevailing in this Diocese, and thus relieve this Diocese of the care of those for whom it may have become responsible under this resolution.—1885, p. 60.

XXX.—THE PERPETUAL DIACONATE.

1. At the Session of 1881 the following Canon was introduced, but its consideration was postponed until the Session of 1882.

CANON.

I. Every candidate for the office and administration of a deacon shall present to the Bishop,

1. A testimonial from his own Pastor that he has been a regular communicant for the two years immediately preceding his application for Deacon's orders, and together with this,

2. Certificates from two or more learned Presbyters, of whom one shall have been his own Pastor, that on their personal knowledge of him, and actual examination for further satisfaction, they deem him to possess such personal qualifications, physical, intellectual, and religious, and to have attained such proficiency in the English language and learning, and in particular in the art of reading aloud, and such general acquaintance with the Holy Scriptures and the Book of Common Prayer, as justify the expectation of his usefulness in the office of a Deacon.

3. A declaration under his own hand that he is able to maintain himself and his family without aid from the Church's funds, and that it is his desire, for the love of God, to render to the Church under the direction of the Presbyter in whose parish he may be licensed to serve, such services as may be required of him, both on the Lord's day and at such other times as he may be able to do so without prejudice to his worldly calling.

II. The examination of a candidate for the office of a deacon only shall be so conducted as may most thoroughly ascertain the extent of his acquaintance with the Holy Scriptures of the Old and New Testaments, in every part of which he shall require to be well versed; and also his familiarity with the book of Common Prayer in all its parts and adjuncts, and with the Book of Articles.

III. A person so ordained to the Permanent Diaconate, shall not officiate beyond the limits of the parish to which he is licensed, unless by request of the clergyman of another parish.

IV. A person ordained as above shall not, *necessarily*, be entitled to a seat in the Synod, nor shall he be entitled, by seniority or otherwise, to participate in any of the funds of the Diocese; nor shall his widow or orphans have any right to benefit by the Widows' and Orphans' Fund.—1881, p. 50.

2. At the Session of 1882, the matter was further considered and the following resolutions adopted:

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1. That the Canon on the Permanent Diaconate be not now adopted, but in lieu thereof the Legislature be petitioned to change the act of Incorporation of the Synod of the Diocese of Niagara, so that it shall consist of the Bishop, Priests and Lay Representatives.—1882, p. 51.
2. That the giving notice of application to the Legislature for an alteration in the Constitution of this Diocese be postponed till after the next session of this Synod.—1882, p. 52.
3. At the Session of 1883, the following Canon was introduced, but its consideration was deferred.

CANON ON THE DIACONATE.

I. Every candidate for the office of a Deacon shall present to the Bishop.

(1). A testimonial from his own Pastor that he has been a regular communicant for the two years immediately preceding his application for Deacon's orders, and together with this,

(2). Certificates from two or more Presbyters, of whom one shall have been his own Pastor, that on their personal knowledge of him, and actual examination for further satisfaction, they deem him to possess such personal qualifications, physical, intellectual and religious, and to have attained such proficiency in the English language and learning, and in particular in the art of reading aloud, and such general acquaintance with the Holy Scriptures and the book of Common Prayer, as justify the expectations of his usefulness in the office of a Deacon.

(3). A declaration under his own hand that he is able to maintain himself and his family without aid from the Church's funds, and that it is his desire, for the love of God, to render to the Church under the direction of the Presbyter in whose Parish he may be licensed to serve, such services as may be required of him, both on the Lord's Day and at such other time as he may be able to do so without prejudice to his worldly calling.

II. The examination of a candidate for the office of Deacon only, shall be so conducted as may most thoroughly ascertain the extent of his acquaintance with the Holy Scriptures of the Old and New Testaments, in every part of which he shall require to be well versed; and also his familiarity with the book of Common Prayer.

III. A person so ordained to the Permanent Diaconate shall not officiate beyond the limit of the Parish to which he is licensed, unless by request of the Clergyman of another Parish, and with the consent of the Clergyman of the Parish to which he is attached.

IV. A person ordained as above shall not be entitled by seniority or otherwise to participate in any of the funds of the Diocese, nor shall his widow or orphans have any right to benefit by the Widows' and Orphans' Fund.

V. No more than two perpetual Deacons shall be licensed to any Parish. 1883, p. 49.

4. Subsequently the following resolution was adopted :

That no application be made to the Legislature for an alteration in the Constitution of the Diocese, excluding Deacons from the Synod.—1883, p. 51.

5. At the session of 1886, the following Canon was introduced :

CANON ON THE DIACONATE.

Whereas by Canon XVIII of the Provincial Synod it is enacted as follows :

"A Deacon need not surrender his worldly calling or business (said calling

being approved by the Bishop), unless he be a candidate for the office of a Priest, and he shall not be admitted to the Priesthood till he shall have passed a satisfactory examination in Latin and Greek, and have further complied with such other requirements as the Bishop of each Diocese may impose."

"Every Deacon who shall, from necessity, be placed in charge of a Parish or Mission shall be under the direction of a neighboring priest until he be advanced to the Priesthood."

And whereas it is desirable and necessary to define the position of such Deacons as do not surrender their worldly calling or business in this Diocese, in regard to the Funds and any emoluments derived from moneys held in trust for the benefit of the Diocese by the Synod;

Be it therefore enacted,

I. That when such Deacons have been accepted and ordained by the Bishop, they shall be entitled to sit and vote with the Clergy in the Synod of the Diocese as long as they hold the license of the Bishop, and no longer.

II. That such Deacons shall have no claim whatsoever as beneficiaries on any of the various Funds subscribed, collected or held in trust, for the benefit of the Clergy.

III. That when any such Deacons have, in accordance with the requirements of Canon XVIII of the Provincial Synod, been duly admitted to Priest's Orders by the Bishop of the Diocese, the claim of such Deacons as beneficiaries of the Funds and Temporalities held in trust by the Synod for the benefit of the Clergy, shall date only from their ordination to the Priesthood.

After discussion the Canon was not proceeded with, owing to the adoption of the following resolution :

That this Synod do memorialize the Provincial Synod at its next Session to consider Canon XVIII on the Permanent Diaconate with the view of amending the same.

XXXI.—MAP OF THE DIOCESE.

That it is necessary that a map of the Diocese should be provided, shewing each Township with the Church population therein, and that each parish and mission be furnished with a copy.—1882, p. 52.

XXXII.—THE BIBLE IN PUBLIC SCHOOLS.

That the request of the Presbyterian Synod of Hamilton and London be accepted as far as possible by this Synod, with respect to the use of God's Word in our Public Schools, regarding it as the only foundation of Christian morality, as well as Christian faith.—1882, p. 53.

XXXIII.—CLAIM ON TORONTO EPISCOPAL ENDOWMENT FUND.

1. At the Session of 1879, the Special Committee appointed to consider this matter, submitted a report and memorial which were adopted.—1879, p. 52.

2. That the Executive Committee be instructed to invite a submission of the matter in dispute, in regard to the Episcopal

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Endowment Fund, to one of the Judges of the Superior Court, or such other referee as may be mutually agreed upon, and failing to effect such an arrangement, that they be empowered to take such further steps as may be found expedient and necessary to enforce a settlement of the claim of this Synod.—1880, p. 50.

3. That this Synod regrets to learn from the report of the Executive Committee that so little progress has been made in a decision upon a special case prepared by the Chancellor of this Diocese, relating to the claims of Niagara upon the Episcopal Endowment Fund of the Diocese of Toronto, and they request the Executive Committee to again urge upon the Diocese of Toronto the necessity for an early settlement of this question. 1882, p. 54.

4. That in view of the judgment rendered by the Court in re Synod of Niagara vs. Synod of Toronto, viz :—"That there is no legal, but a strong moral, obligation on the part of the said Synod of Toronto to refund the subscriptions raised within the limits of the Diocese of Niagara, towards the maintenance of the Episcopate,"—all further legal proceedings be terminated.

But that a delegation consisting of the mover, the Rev. Canon Worrell, the Rev. H. Carmichael, the Chancellor, and Geo. Elliott, Esq., be appointed to meet the Synod of Toronto in session on the 22nd June, with a view to urge the moral claims (in the words of the judge) of said Synod of Niagara.

And that the Secretary-Treasurer be instructed to intimate to the Lord Bishop of Toronto that such delegation has been appointed, and to respectfully request his Lordship to permit such delegation to meet the Bishop and his Synod at an early period in the session.—1886, p. 73.

XXXIV.—CENTRAL BOARD OF DOMESTIC MISSIONS.

At the Session of 1881, the following report was adopted.

REPORT.

The Corresponding Committee of the Central Board of Domestic Missions of the Provincial Synod for the Diocese of Niagara, beg to report.

I. That whilst strongly objecting to the fact of the Central Board assessing the Diocese of Niagara the same amount as that placed on the Diocese of Ontario, yet, for the sake of aiding the work of Missions in Algoma and the North-West, they recommend the willing acceptance of the assessment of \$1,250 per annum, the whole amount to be forwarded to the parent Board to be distributed according to the direction of the Corresponding Committee of the Diocese of Niagara.

II. That they would recommend that the Executive Committee be directed to increase the parochial assessments in order to meet the increased expenditure.

III. That your Committee feel that the amount that will naturally fall to

the work of the North-West, under the proposed arrangement will be altogether inadequate to the need of that great country.

IV. Your Committee would recommend the Central Board to increase the assessments of all the Dioceses in order to assist materially the ever increasing work of God's Church in the North-West.—1881, p. 49.

At the Session of 1882, the following report was adopted.

REPORT

The Corresponding Committee of the Central board of Domestic Missions of the Provincial Synod, for the Diocese of Niagara, beg to report

That the full amount apportioned to this Diocese by the Central Board has been paid, and that your committee recommend the additional apportionment proposed to be laid on this Diocese by the last Provincial Synod, be cheerfully, and under the circumstances gratefully accepted by the Synod of the Diocese of Niagara.

Your Committee also recommend that the Clergy of the Diocese fall in with the following mode of keeping a correct account of all moneys subscribed, given either to Algoma or the North-West.

That all collections made by Bishops, Clergy or Laity for Algoma or the North-West in different parishes of the Diocese of Niagara, be permitted by the Clergy, on the distinct understanding that all sums collected in the various parishes be passed through the books of the Secretary-Treasurer of the Diocese, and a record of such collections be sent to the Secretary of the Central Board as a supplemental list of moneys subscribed by the Diocese of Niagara over and above the apportionment of the Diocese.

The committee also recommend that the Secretary-Treasurer of the Diocese forward all moneys for apportionment account placed in his hands to the Bishops of Algoma and the North-West, transmitting at the same time to the Secretary of the Board of Missions a statement of the amounts forwarded.—1882, p. 48.

NOTE.—At the Session of the Provincial Synod in 1883, the Domestic and Foreign Missionary Society of the Church of England in Canada was formed, taking the place of the Central Board. (See Canon XIX of Provincial Synod.)

XXXV.—UNIFORMITY OF PUBLIC WORSHIP.

1. That inasmuch as the Provincial Synod of Canada has, by its Act of Incorporation, power to enact Canons respecting the order and discipline of the Church, within its ecclesiastical boundaries, be it resolved that the Synod of Niagara do memorialize that body, at its next meeting in September, to enact Canons for the promotion of greater uniformity in public worship.—1883, p. 50.

2. That the Provincial Synod be prayed to abandon the consideration of the Memorial presented to that honorable body from the Diocese of Niagara in the year 1883.—1885, p. 61.

XXXVI.—SUSTENTATION FUND.

1. That the Lord Bishop be respectfully requested to appoint a

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Committee of five to report at the next session of the Synod as to a plan to establish a Sustentation Fund for the aged and disabled clergy of this Diocese.—1884, p. 60.

2. At the Session of 1886 the following Canon was introduced by the Rev. W. R. Clark, M. A. :

CANON FOR SUPERANNUATING AGED AND DISABLED
CLERGYMEN.

Whereas there is little or no provision for the Clergy of the Diocese should they become incapacitated by illness, age, or infirmity, be it therefore enacted:

1. That a Fund be established to be designated, "The Aged and Disabled Clergyman's Fund."

2. That this fund be constituted by sums received from the following sources, viz : 1st, An annual collection to be made on Thanksgiving Day in each year in all our Churches ; 2nd, Benefactions and bequests ; and 3rd, Subscriptions of the Clergy as hereafter described.

3. There shall be a Standing Committee for the management of this fund, appointed at the Session of the Synod at which this Canon shall be adopted, and every third year thereafter at the annual meeting, consisting of the Bishop and the Chancellor of the Diocese and six clerical and six lay members, one-half of each order of whom shall be appointed by the Bishop and the other half by a vote of the Synod, the Clerical members to be elected by the Clergy, the lay members by the Laity, of whom five shall form a quorum and who shall be called together by the Secretary-Treasurer, at such stated time as may be appointed for the meeting, or upon the requisition of the Bishop, or any three members of the Committee. The Clergy appointed to this Committee shall have been at least ten years in Holy orders. Each election shall take place in every third year, immediately after the election of Delegates to the Provincial Synod, or immediately after the election of the Committee of Discipline ; and in the year of the adoption of this Canon, it may take place at any time during the Synod on the requirement of the Bishop, provided always that when any vacancy occurs in this Committee it shall be filled up by the Bishop.

4. Any Clergyman who has served 25 years in this Diocese, is in good standing, and has complied with the requirements of this Canon, and who has also reached the age of 65 years, shall be entitled to claim superannuation under this Canon.

5. Any Clergyman of this Diocese who declares that he is incapacitated for duty by age or infirmity, and who submits to the Committee a certificate from a physician named by the Committee to the same effect, (such certificate shall be annual if the Committee require it), shall be placed on the list of superannuated Clergy, at the discretion of the Committee.

6. Superannuation allowance made to any Clergyman under this Canon shall be in proportion to his length of service in the Diocese, due regard being had to the amount and condition of the Fund ; such allowance not to exceed the sum of \$200 a year for a Clergyman in receipt of an annuity from the Commutation Trust Fund, and \$400 a year for a Clergyman not receiving such annuity. The revenue shall not be available until the capital reaches the sum of \$

7. No Clergyman shall be placed on the superannuated list unless he shall have paid annually, before the 31st day of March, in each year, to the Secretary-Treasurer of the Synod the sums on the following scale, according

to the age at which he entered upon service in this Diocese, under license from the Lord Bishop, the 1st payment to be made before the 31st day of March next after this Canon shall have come into force, or after the date of his being licensed by the Lord Bishop as Clergyman of the Diocese; provided that all Clergymen who were licensed or appointed in the Diocese at its formation shall pay \$6.00 a year.

23 years of age and under 25	\$ 5 00
25 " " "	30 7 50
30 " " "	35 10 00
35 " " "	40 13 00
40 " " "	45 16 00
45 " " "	50 19 00
50 " " "	55 22 00

It shall be the duty of the Committee to lay before the Synod, each year, a list of the Clergy who have complied with the requirements of this Canon and the condition of the Fund.

8. In case of any Clergyman removing from the Diocese and taking permanent duty in another Diocese, or in case of a clergyman dying before deriving any benefit from this Fund, one-half of the subscriptions paid by him to the Fund shall be remitted to him, or his family.

9. In case of the omission of any Clergyman to subscribe as above, he shall not be restored to the position of a clergyman entitled to be superannuated until he has paid, in addition to the annual subscription neglected or omitted, such a fine as the Committee may decide.

10. Section 7 of the Commutation Trust Fund By-law, beginning with the words, "and it shall be lawful, &c.," is hereby repealed; also Article XXV, Section (d) of the Constitution.

The first clause was adopted, but on a motion for the adoption of the second clause, the following amendment was carried :

That the principle of this Canon be confirmed, subject to confirmation next year, and that the Canon for Superannuating aged and disabled Clergymen be referred to the following Committee, namely : the Very Rev. Dean Geddes, D. C. L., the Rev. H. Carmichael, M. A., the Rev. Canon Read, D. D., and Messrs. F. W. Gates, Geo. Elliott, and W. F. Burton.

XXXVII.—TRINITY COLLEGE ENDOWMENT.

That the Synod supports the recommendation made by the Bishop regarding the Supplemental Endowment Fund of Trinity College, as at present constituted, and recommends the Clergy to take the action indicated by the Bishop.—1885, p. 61.

XXXVIII.—THE SOCIETY OF THE TREASURY OF GOD.

That the Synod recommends the Clergy to avail themselves of the publications of the Society of the Treasury of God, with the view of helping their people to recognize the duty, and conform to the practice, of devoting a tenth of their annual earnings or income to the service of God.—1885, p. 62.

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PART SECOND.

PROVINCIAL SYNOD.

Declaration of British North American Bishops.

(Being Minutes of a Conference of the Bishops of Quebec, Toronto, Newfoundland, Fredericton, and Montreal, holden at Quebec, from September 24th to October 1st, 1851.)

I. PRELIMINARY STATEMENT.

We, the undersigned Bishops of the North American Colonies in the Province of Canterbury, having had opportunity granted to us of meeting together, have thereupon conferred with each other respecting the trust and charge committed to our hands, and certain peculiar difficulties of a local nature which attach to the same.

We desire, therefore, in the first place, to record our thankfulness that we have been so permitted to assemble, and our sense of the responsibility lying upon us before God and the world to promote the glory of His great name, to advance the Kingdom of His Son, to seek the salvation of immortal souls, and, what we feel to be inseparably united with these objects, to establish and extend, wherever there is a demand for her services, the system, the teaching, the worship, and the ordinances of the United Church of England and Ireland.

We feel that, in the prosecution of this great work, we are surrounded by many discouragements, embarrassments and hindrances, which, by the grace of God, we are prepared patiently to encounter, and, while they may be appointed to continue, patiently to endure, but for which, nevertheless, it is our duty to seek all lawful remedy, if such remedy is to be found.

We have therefore prepared the statement which follows, of our views in relation to these subjects of our care and solicitude; and we desire to commend it to the favorable consideration of our Metropolitan, his Grace the Lord Archbishop of Canterbury, in the hope that he may be moved to assist us in obtaining relief from those evils of which we have to complain, as well as

to counsel us in the disposal of questions which come before us in the exercise of our Episcopal duties.

II.—CONVOCATION IN DIOCESAN AND PROVINCIAL SYNODS.

In consequence of the anomalous state of the Church of England in these Colonies with reference to its general government, and the doubts entertained as to the validity of any Code of Ecclesiastical Law, the Bishops of these Dioceses experience great difficulty in acting in accordance with their Episcopal commission and prerogatives, and their decisions are liable to misconstruction, as if emanating from their individual will, and not from the general body of the Church; we therefore consider it desirable, in the first place, that the Bishops, Clergy and Laity of the Church of England in each Diocese should meet together in Synod, at such times and in such manner as may be agreed. Secondly, that the Laity in such Synod should meet by representation, and that their representatives be communicants. Thirdly, it is our opinion that, as questions will arise from time to time which will affect the welfare of the Church in these Colonies, it is desirable that the Bishops, Clergy and Laity, should meet in council under a Provincial Metropolitan, with power to frame such rules and regulations for the better conduct of our ecclesiastical affairs as by the said council may be deemed expedient. Fourthly, that the said council should be divided into two houses, the one consisting of the Bishops of these several dioceses under their Metropolitan, and the other of the presbyters and lay members of the Church assembled (as before mentioned) by representation.

Upon these grounds it appears to us necessary that a Metropolitan should be appointed for the North American Dioceses.

III. CONDITIONS OF CHURCH MEMBERSHIP.

Doubts being entertained as to who are to be regarded as members of the Church of England in these Colonies, and as such, what are their special duties and rights, we are of opinion that Church Membership requires (1) admission into the Christian covenant by holy baptism, as our Lord commanded, "in the name of the Father, and of the Son, and of the Holy Ghost;" (2) that all Church members are bound, according to their knowledge and opportunities, to consent and conform to the rules and ordinances of the Church, and (3) according to their ability, and as God hath blessed them, to contribute to the support of the Church, and especially of those who minister to

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them in holy things. Upon the fulfilment of these duties, they may, as Church Members, claim at our hands, and at the hands of our Clergy generally, all customary services and ministrations.

We cheerfully recognize the duty and privilege of preaching the Gospel to the poor, and of allowing to those who can make us no worldly recompense the same claim upon our services, in public and in private, which we grant to the more wealthy members of our flock.

We are further of opinion that Church Members in full communion, are those only who receive, with their brethren, the Sacrament of the Lord's Supper, at the hands of their lawful ministers, as directed and enjoined by the Canons and Rubrics of our Prayer Book. Persons chosen as representatives of any Parish or mission to attend any Synod or Convocation, should in every case be members of the Church in full communion.

IV. CANONS OF 1603—4.

Although it is confessedly impossible under existing circumstances to observe all these Canons, yet we are of opinion that they should be complied with so far as is lawful and practicable. But inasmuch as the retention of rules which cannot be obeyed is manifestly inexpedient, and tends to lessen the respect due to all laws, we hold that a revision of the Canons is highly desirable, provided it be done by competent authority.

V. ARTICLES AND FORMULARIES—DOCTRINAL STANDARD.

Whereas multiplication of sects, among those who profess and call themselves Christians, appealing to the same Scriptures in support of divers and conflicting doctrines, renders a fixed and uniform standard and interpretation of Scripture more than ever necessary, we desire to express our thankfulness to Almighty God for the preservation of the Book of Common Prayer, our entire and cordial agreement with the Articles and Formularies of our Church, taken in their literal sense, and our earnest wish (as far as in us lies) faithfully to teach the doctrines and to use the offices of our Church in the manner prescribed in the said book. And we desire that all the members of our Church should accept the teaching of the Prayer Book, as, under the guidance of the Holy Spirit, their best help in the understanding of Holy Scripture, and as the ground-work of the religious education of their children.

VI.—A BISHOP MAY AUTHORIZE DIVISION OF THE MORNING SERVICE.

We are of opinion that the Bishop, as ordinary, may authorize the division of the Morning Service, by the use of the Morning Prayer, Litany, or Communion Service, separately, as may be required; but that no private Clergyman has authority, at his own discretion, to abridge or alter the Services or Offices, or to change the Lessons of the Church.

VII.—UNIFORMITY OF PSALMS AND HYMNS.

Whereas the multiplication in Churches of different Hymn Books, published without authority, is irregular in itself, and has a tendency to promote division among us, we are of opinion that a judicious selection of Psalms and Hymns by competent authority would tend much to the furtherance of devotion and to the edification of pious churchmen.

VIII.—UNIFORMITY OF PRACTICE AT THE OFFERTORY.

We are of opinion that it is desirable and seemly, and would tend to a uniformity of practice among us, that whenever a collection is made after Sermon, in time of Morning Prayer, the offertory sentences should be read, and the prayer for the Church Militant should be used.

IX.—HOLY COMMUNION.—CERTIFICATES OF MEMBERSHIP ON REMOVAL.

We hold it to be of great importance that the Clergy should attend to the directions of the Rubric which precede the administration of the Holy Communion, respecting "open and notorious evil livers, and those who have done wrong to their neighbors by word or deed, and those also betwixt whom they perceive malice and hatred to reign," and that members of the Church should signify to the Minister their intention to present themselves at the Holy Table, especially when they arrive in any place as strangers, or when, being residents in such place, they are purposing to communicate for the first time. We conceive that it would greatly promote the welfare of the Church if our members, who may be travelling from one place to another, were furnished with a certificate of their membership and of their standing in the Church.

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X.—MARRIAGES WITHIN THE PROHIBITED DEGREES.

We hold that a Clergyman knowingly celebrating marriage between persons who are related to each other within the prohibited degrees, set forth in the table of degrees published by our Church in the year of our Lord God, 1563, is acting in violation of the laws of God and of the Church, and is liable to censure and punishment; and that persons who contract such marriages should not be admitted to the Holy Communion, except upon repentance and putting away their sin. And we recommend that the aforesaid "Table of Prohibited Degrees" should be put up in every Church in our Dioceses. We are further of opinion that injustice is done our Church in withholding from our Bishops the power of granting Marriage Licenses which is exercised by the Bishops of the Roman Catholic Church; and that in several Dioceses great irregularities, and grievous evils prevail, in consequence of the defective state of the Marriage Law. We also hold that the Clergy of our Church should abstain from celebrating a marriage between persons, both of whom professedly belong to another communion, except in cases where the services of no other Minister can be procured.

XI.—PARISH REGISTERS SHOULD BE KEPT.

We would earnestly recommend to the Clergy of our Diocese (even though it should not be required by the civil law), to keep accurate Registers of Marriages, Baptisms and Burials, in their several Parishes or Missions.

XII.—INTERCOMMUNION WITH OTHER REFORMED EPISCOPAL CHURCHES.

We are of opinion that it is much to be desired that there should be no let or hindrance to a full and free communion between ourselves and other Reformed Episcopal Churches; and therefore that where we derive our orders from the same source, hold the same doctrines, and are virtually united as members of the same body of Christ, these impediments which (as we are advised) are now in force through the operations of the civil law, ought to be removed.

XIII.—EDUCATION.

(a) *General.*

Whereas systems of education are very generally introduced and supported in these Colonies, either (1) excluding religious

instruction altogether from the schools, or (2) recognizing no distinction between Roman Catholics and Protestants ; whereby no opportunity is afforded us of bringing up the children of our communion in the special doctrines and duties of our faith, to the manifest deprivation of their religious principles, and with crying injustice to the Church of England, we desire to express our decided conviction :

1. That all education for the members of our Church should be distinctly based on the revealed religion of the Old and New Testaments, with special reference to their duties and privileges as by baptism regenerate, and made God's children by adoption and grace.

2. That all lawful and honourable methods should be adopted to move the Colonial Legislatures to make grants to the Church of England as well as to the Roman Catholics, and other religious bodies, as they may require it, and according to their numbers respectively, for the education of the members of their own communion.

(b) *Sunday Schools.*

1. We desire to express our sense of the importance, in the existing state of the Church, of Sunday schools, especially in large towns, and we thankfully acknowledge the benefits which have resulted from the labors of pious teachers both to themselves and their scholars, under proper direction and superintendence. In every possible case, the Sunday schools should be under the personal direction and superintendence of the Minister of the parish or district ; or otherwise the Minister should appoint the teachers, choose the books, and regulate the course of instruction ; that there be no contradiction between the teaching of the school and the Church, all Sunday scholars should be instructed in the Church Catechism, and regularly taken to Church.

2. We would carefully guard against the assumption that instruction in the Sunday school, even by the Minister of the parish, may be allowed to supersede the directions of the Rubrics and Canons, and on the duty of catechizing in Church ; for we distinctly recognize and affirm as well the great importance, as the sacred obligation, of those directions.

(c) *Schools for the Higher Classes.*

Schools for the higher classes of both sexes are much required, with particular reference to assisting the Clergy in the education of their own children.

(d) *One University for British North America.*

Although we consider it of great importance that each Bishop

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should connect with his Diocese some college or like institution for the special training and preparation of young men for the Ministry of the Church ; we believe that one University for the North American Provinces, with foundations for each Diocese, on the model of the two great Universities, will be required to complete an educational system, as well for lay students in every department of literature and science, as for the students in theology and candidates for the sacred Ministry.

(e) *Training for the Ministry.*

In addition to the general studies pursued in the college or university, we deem it highly desirable that candidates for the Ministry should apply themselves, under competent direction, to a systematic course of reading in theology for at least one whole year, or longer if possible, previous to their taking holy orders ; and that they should likewise be instructed in the duties of the pastoral office, in correct reading and delivering of sermons, in church music, architecture, &c.

(f) *Diocesan and Parochial Libraries.*

We deem it very desirable also that libraries should be formed in every Diocese under the direction of the Clergy, both for the Clergy themselves and for their Parishioners.

XIV.—THE ORDER OF DEACONS.

We would wish to discontinue the practice which the necessities of the Church have sometimes forced upon us, of entrusting large independent spheres of duty to young and inexperienced men in Deacon's Orders, deeming it desirable that every Deacon should, if possible, be placed under the direction of an experienced Priest.

XV.—MAINTENANCE OF THE CLERGY BY THE PEOPLE

While we hold it to be the duty of Christian governments to maintain inviolate whatever endowment have been lawfully and religiously made for the establishment, support, or extension of the Christian religion ; and while we acknowledge, with heartfelt gratitude, the aid given to our missions by *the Venerable Society for the Propagation of the Gospel in Foreign Parts*, to whose fostering care and bounty the Church in these Colonies owes, under God, its existence and means of usefulness, we desire to record our conviction that the Ordinances of the Church will never be rightly valued, nor its strength fully developed, until the people, for whose benefit the Clergy minister in holy things, fur-

nish a more adequate support to the institutions and to the Clergy of their Church.

Further, as *the Society*, in consequence of numerous and increasing claims in all parts of the world, is compelled gradually to withdraw its aid, we desire to impress on all our flocks the duty of fulfilling their obligations in respect of the payment of their Ministers; and with a view to this object, we recommend that the Churchwardens in each parish or mission should furnish every year to the Bishop a written return, duly certified by themselves and the Clergyman, of the sums paid to his support for the current year.

XVI.—CONCLUSION.

Lastly, while we acknowledge it to be the bounden duty of ourselves and our clergy, by God's grace assisting us, in our several stations, to do the work of good evangelists, yet we desire to remember that we have most solemnly pledged ourselves to fulfil this work of our ministry, according to the doctrine and discipline of the Church of England, and as faithful subjects of Her Most Gracious Majesty Queen Victoria, "unto whom the chief government of all estates of this realm, whether they be ecclesiastical or civil, in all causes doth appertain, and is not, nor ought to be, subject to any foreign jurisdiction." And we cannot forbear expressing our unfeigned thankfulness to Almighty God that he has preserved to us, in this branch of Christ's Holy Church, the assurance of an Apostolic commission for our Ministerial calling; and together with it, a confession of pure and Catholic truth, and the fulness of sacramental grace. May He graciously be pleased to direct and guide us all in the use of these precious gifts, enable us to serve Him in unity of spirit, in the bond of peace, and in righteousness of life, and finally bring us to His Heavenly Kingdom, through Jesus Christ our Lord.

(Signed.)

G. J. QUEBEC.
JOHN TORONTO.
EDWARD NEWFOUNDLAND.
JOHN FREDERICTON.
F. MONTREAL.

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DECLARATION OF CANADIAN BISHOPS.*

In First Provincial Synod Assembled, 1861.

I.—PRELIMINARY DECLARATION.

We, the Bishops of the United Church of England and Ireland, within the Province of Canada, together with the Delegates from the Clergy and Laity of the Diocesan Synods, now assembled in the first Synod under Royal and constitutional authority, and intending under God's blessing and guidance to consider and determine upon such matters as shall appear necessary for the welfare of the Church in this Province, desire to express our hearty and humble thanks to Almighty God, that it has pleased Him in His Providence to set over us a Metropolitan, and thus enable us, as in the ancient days, to assemble as one body, under the direction of His Holy Spirit, whose aid we now invoke, in the name of His only begotten Son, for the consolidation and advancement of His kingdom in this Province.

II.—UNITY OF THE CHURCH—HER DOCTRINAL STANDARDS.

Before entering on the business for which we are at present assembled, we desire publicly to declare the principles upon which we propose to proceed.

We desire the Church in this Province to continue, as it has been, an integral portion of the United Church of England and Ireland.

As members of that Church, we recognize the true Canon of Holy Scripture, as set forth by that Church, on the testimony of the Primitive Catholic Church, to be the rule and standard of faith; we acknowledge the Book of Common Prayer and Sacraments, together with the Thirty-nine articles of Religion, to be a true and faithful declaration of the doctrine contained in Holy Scripture; we maintain the form of Church government by Bishops, Priests, and Deacons, as Scriptural and Apostolical; and we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines and that form of government and to transmit them to our posterity.

*Viz : The Bishops of Montreal, Quebec, Toronto, Huron and Ontario.

In particular we maintain the ancient doctrine of our Church, that the Queen is rightfully possessed of the chief government and supremacy over all persons within her dominions, whether ecclesiastical or civil, as set forth in the 37th of the Articles of Religion; and we desire that such supremacy should continue unimpaired.

III.—SUBJECTS OF SYNODICAL ACTION.

It is our earnest desire and determination to confine our deliberation to matters of discipline, to the temporalities of the Church, and to such regulations of order or modes of operation, as may tend to her efficiency and extension; and we desire no control or authority over any but those who are or shall be members of the same Church.

We conceive that the following, or such like objects, may fitly come under our consideration, and to action on our part:

1. To form a Constitution for this Synod, and to regulate the time and place of the meetings, and the order and manner of its proceedings.
2. To provide for the proper exercise of ecclesiastical discipline, in regard to both Clergy and Laity, by modifying and enacting Canons, and by establishing and ordering a Court of Appeal.
3. To provide, with the consent of the Crown when needed, fit regulations for the appointment of Bishops, Priests and Deacons, in accordance with the Canons of the Universal Church.
4. To provide, with the consent of the Crown, for the division of the Province into new Dioceses, as occasion may require.
5. To procure from the Colonial Legislature any laws or modifications of laws, which the circumstances of the Church may require.
6. To promote the further consolidation and united action of the whole of the Dioceses of British North America.

IV.—PRAYER FOR DIVINE GUIDANCE.

Proceeding upon these principles, which, as we humbly thank God, were, under His guidance, first among the Colonial Churches, publicly set forth amongst ourselves, and have been sustained by the acceptance of our brethren through a large part of the Colonial dominions of our beloved Queen, we firmly rely and depend upon His continued blessing and guidance; and we humbly pray that He, who is the God of unity and peace, may

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ever be with us, and so chasten our affections, purify our motives, and guide our judgment, that we may be enabled to contribute to the efficiency, concord and stability of the Church in this land.

CONSTITUTION OF THE PROVINCIAL SYNOD.

1. The Provincial Synod shall consist of the Bishops of the Church of England in Canada, having sees within the Ecclesiastical Province of Canada, presently composed of the Provinces of Ontario, Quebec, Nova Scotia, Prince Edward Island and New Brunswick, or executing by due authority the Episcopate as assistant or Missionary Bishops therein, and of Delegates chosen from the Clergy and from the Laity.

2. The Bishops shall deliberate in one House, and the Delegates from the Clergy and Laity in another, and each House shall hold its sittings either in public or in private, at its own discretion.

3. The Clerical and Lay Delegates shall consist of twelve of each Order from each Diocese.

4. The Synod shall meet on the 2nd Wednesday of September in every third year, or oftener, at the discretion of the Metropolitan; or on the requisition of any two Bishops, or of the Bishops and half the Delegates of each order in any Diocese.

5. In the vacancy of the Metropolitan See, a meeting may be called at the appointed period, or on either of the above requisitions, by the senior Bishop of the Ecclesiastical Province of Canada.

6. A quorum of the Synod shall consist of not less than a majority of the Bishops and not less than one-fourth of the members of each Order of the Lower House.

7. The Metropolitan, or some Bishop appointed by him, shall be the President of the Upper House; and in the vacancy of the See the House of Bishops shall elect one of their own number to preside.

8. The Lower House shall be presided over by their Prolocutor, to be chosen *viva voce* on motion of any member of that House.

9. Each House shall appoint a Secretary or Secretaries, who shall keep regular accounts of all proceedings in their own House; shall record them in books provided for the purpose; shall preserve memorials and other documents under the direction of the President and Prolocutor; shall attest all public Acts of the Synod, and deliver over all records and documents to their successors.

10. The expenses of the Synod shall be provided for, and its

financial concerns managed by a Committee of the Lower House, after a manner to be approved by both Houses.

11. Each House shall establish its own order of proceedings and rules of order, and may publish as much of its proceedings as may appear advisable.

12. The Upper House shall propose to the Lower any business they may desire to have treated of or decided; and it shall be incumbent on the Lower House to take up and dispose of such business in preference to any other.

13. The Upper House may direct the Lower to appoint a Committee to report to the Upper on any subject, on which they may desire the judgment of the Lower, or to appoint their portion of a joint committee; or may summon the Lower to a conference,

14. Messages from the Upper House shall be delivered by an officer of the Upper to the Secretary of the Lower, by whom they shall be communicated to the Prolocutor, who shall communicate them to the House.

15. The Lower House may present to the Upper any matter which they conceive to be a grievance or to require amendment, even when they have no proposition to make on the same; and the Upper House shall thereupon place it in order for consideration, with a view of providing a remedy; and shall, before the conclusion of the session, declare to the Lower House the result.

16. The Prolocutor shall have the right of admission personally or by Committee to the Upper House, to communicate the desire or decisions of the House; and in such case he shall ascertain by message when he or the Committee can conveniently be received in the Upper House, and Act accordingly.

17. It shall be competent to the Lower House to request a joint committee or conference on any special object, beyond those submitted to it by the Upper House, or to propose for discussion any specific measure; to which request an answer shall be given; but it shall be at the option of the Upper House to accede to their request or not.

18. When either House shall desire a conference with the other, or a joint committee, the reason for either shall be agreed to by the House desiring it, and communicated in writing to the other; the Prolocutor personally or by committee in either case proceeding to the Upper House either to deliver or to receive such reasons.

19. When either House shall have come to a decision upon any subject in which the other House is concerned, it shall communicate its decision to the other.

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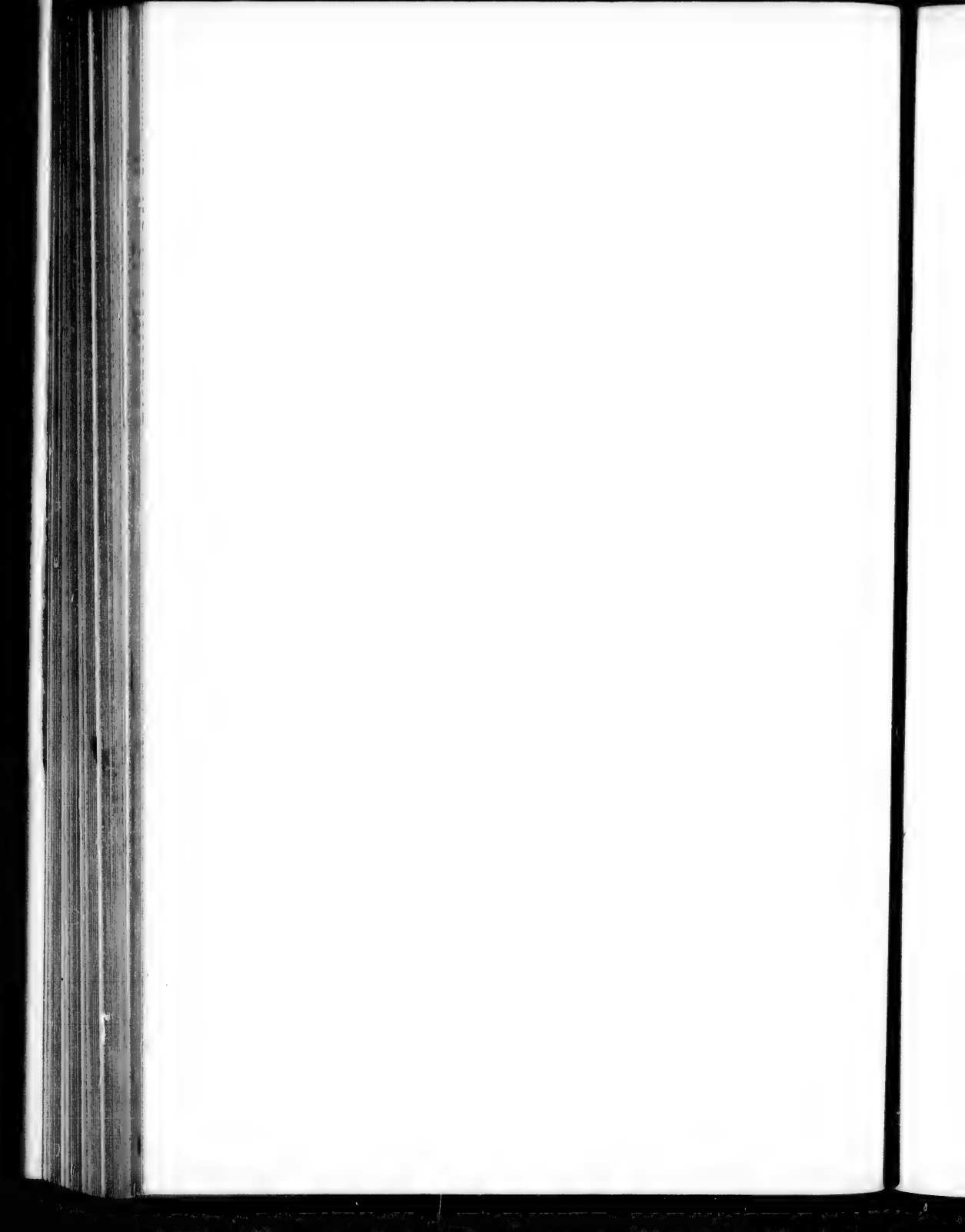
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20. If the Lower House should not concur in a decision of the Upper, they shall, in stating their non-concurrence, state their reason; and may either propose an amendment or request the Upper House to suggest an amendment to meet their reason, or request a conference.

21. If the Upper should not concur in a resolution or decision of the Lower, they may, in stating their non-concurrence, either state their reasons or not; and may either propose an amendment or request the Lower House to prepare an amendment, or appoint a conference, to which the Lower House shall always give attention.

22. The conference may be either by deputation from both Houses, or by deputation from the Lower House, or by open conference, as the Upper House may think fit, and the place shall be appointed by the President.

23. No proposition shall be considered as sanctioned by the Provincial Synod, until it has received the separate sanction of both Houses, which shall be declared by the President in writing.

24. Committees, whether of either House, or of the two Houses, may hold their meetings either during recesses in the session, or during the prorogation of the Synod.

25. No alteration of the Constitution or Canons shall come into operation, until it has been confirmed at a second session of the Provincial Synod.

26. Each meeting of the Synod shall be preceded, or commenced by Morning Prayer and a Sermon, if so ordered by the Metropolitan, and on the first day of such meeting the Holy Communion shall be administered.

27. The business of each day shall be commenced by prayer for the Divine Guidance and blessing, according to a form authorized by the House of Bishops.

28. The election of the Clerical and Lay Delegates shall be certified under the hand and seal of the Bishop of the Diocese which they represent, or, in the absence of the Bishop, the Chairman of the Synod; and such certificates shall be final and conclusive; which certificate shall be forwarded by the Secretaries of the Diocesan Synod to the Secretaries of the Lower House of the Provincial Synod within fourteen days after said election; and in case any of the said Delegates mentioned in such certificate shall be unable to attend, a certificate signed by the Bishop, or in his absence by the Clerical Secretary of the Diocesan Synod, that (A. B.) being a Clerical or Lay Delegate from his Diocese is unable to attend, and that (C. D.) is authorized by vote of the Synod of that Diocese to fill his place as Delegate, shall be final and conclusive, whether presented before or during the Session of this Synod.

PERMANENT ORDER OF PROCEEDINGS OF PROVINCIAL SYNOD AS ADOPTED BY
BOTH HOUSES

1. The Provincial Synod shall meet at the place of deliberation, (notice being previously given by the Metropolitan or his deputy, of the time and place of meeting), the Bishops attired in their proper robes, and the Clergy in their gowns, cassocks, bands and hoods; and shall proceed in procession to the Cathedral for Divine Service, on which occasion the Holy Communion shall always be administered. The Litany shall be said by the junior Bishop; the preacher shall be appointed by the Metropolitan, and special prayer shall be made for the Synod. The collection shall be applied to the current expenses of the Synod, unless otherwise ordered by the Metropolitan.

2. At an appointed hour after Divine service, the members of the Synod shall re-assemble at the place of deliberation, where, after the President has taken his seat, he shall inform the Lower House with regard to their place of meeting, and direct them to elect their Prolocutor.

3. When the Prolocutor has been elected, he shall be conducted to the Upper House by the Chairman, accompanied at discretion by any members of the Lower House, and his election announced to the President.

4. The President shall then state to him the business which the Upper House desire to engage the attention of the Lower House, specifying, when necessary, the order in which they desire it to be taken up.

5. On his return, the Prolocutor shall first nominate his own deputy (in case of his absence), and then introduce to the House the business on which the Upper House desire them to engage themselves.

6. On every day of meeting after the first, the Synod shall meet at 9 a. m., and shall proceed at once, before any business is announced, to Morning Prayers at the Cathedral, or the place appointed, and after Prayers proceed to Business.

7. Before the conclusion of the session, the President, with the consent of the House of Bishops, shall issue a Schedule, declaring the state in which each matter of Business now stands which has been brought before the Upper House, and promulgate it to the Lower House; reserving all unfinished Business to the next Session, and Proroguing the Synod.

8. The Prolocutor, on receiving the Schedule of Prorogation, shall, at the first opportunity, communicate it to his House, which shall not prolong its sittings beyond that day.

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ORDER OF PROCEEDINGS OF THE LOWER HOUSE.

1. After the Prayer, the Clerical and Lay Secretaries shall call the roll of their respective orders.
2. The election of the new Secretaries shall be made by the Clergy and Laity respectively. A Treasurer and two Auditors shall also be appointed, all of whom shall hold their offices until their successors shall be appointed.
3. After this the Order of Business shall be as follows :
 - (1) Reading, correcting and approving the Minutes of previous meeting.
 - (2) Appointing Committees.
 - (3) Presenting, reading, and referring Memorials or Petitions.
 - (4) Presenting Reports of Committees, of Treasurer or Auditors.
 - (5) Giving Notices of Motion.
 - (6) Taking up Unfinished Business.
 - (7) Consideration of Motions.
 - (8) Orders of the Day.
 - (9) Before the final adjournment of the Synod, reading, correcting and approving the Minutes of the last day's Proceedings.

RULES OF ORDER.

1. The Lower House shall meet on the day and at the hour and place appointed by the Metropolitan or President, and unless otherwise ordered by the House, on each succeeding day at ten o'clock ; and the mid-day adjournment shall be from one o'clock to half-past two p. m., and the business, except the work of the Committees, shall conclude at six p. m., at which hour the House shall proceed to the Cathedral for Evensong. The Clergy shall appear in gowns and bands. When the Prolocutor has taken the Chair, every member shall remain uncovered.
2. The Prolocutor shall preserve order and decorum, and shall have power to appoint Assessors to aid him in so doing, and he shall decide all question of order, subject to an appeal to the House, to be decided without debate ; and when called upon to decide a point of order, he shall state the rule applicable to the case, without argument or comment.

3. When any member wishes to speak, he shall rise and address the Chair.

4. When two or more members rise at the same time, the Prolocutor shall name the party first to speak.

5. A member called to order while speaking shall sit down, unless permitted to explain.

6. No motion or amendment will be considered as before the House, unless seconded and reduced to writing.

7. No member, save the mover of a resolution, who, as mover, is entitled to reply, shall speak more than once, except by the permission of the House.

8. A member may rise to explain, if permitted by the Chair.

9. No original motion, except motions of course, shall be received without notice, except by permission of the House.

10. When a resolution has been moved and seconded, any member may require the previous question to be put, whether the motion so made, shall be put or not, and that question shall be decided without debate.

11. When a motion has been read to the House by the Prolocutor, it cannot be withdrawn without the consent of the House.

12. When a question is under debate, no motion shall be received by the Chair, unless to amend it or postpone it, or to lay it on the table, or for adjournment, or for the previous question, and no more than one amendment to a proposed amendment of a question shall be in order.

13. A motion to adjourn shall always be in order.

14. Motions to adjourn or to lay on the table shall be decided without debate.

15. A motion to suspend a Rule of order shall take precedence of all other motions, and shall be decided without debate ; and no Rule of Order shall be suspended, except upon the vote of two-thirds of the Members present.

16. A Member, if not interrupting a speaker, may require any motion in discussion to be read for his information, at any time during the debate.

17. When amendments are made to any motion, the amendment and the original motion shall be put in order the reverse of that in which they were brought forward.

18. When a question is finally put by the Prolocutor, either an original motion or an amendment, no further debate shall be allowed ; the Prolocutor first declaring that the question is finally put.

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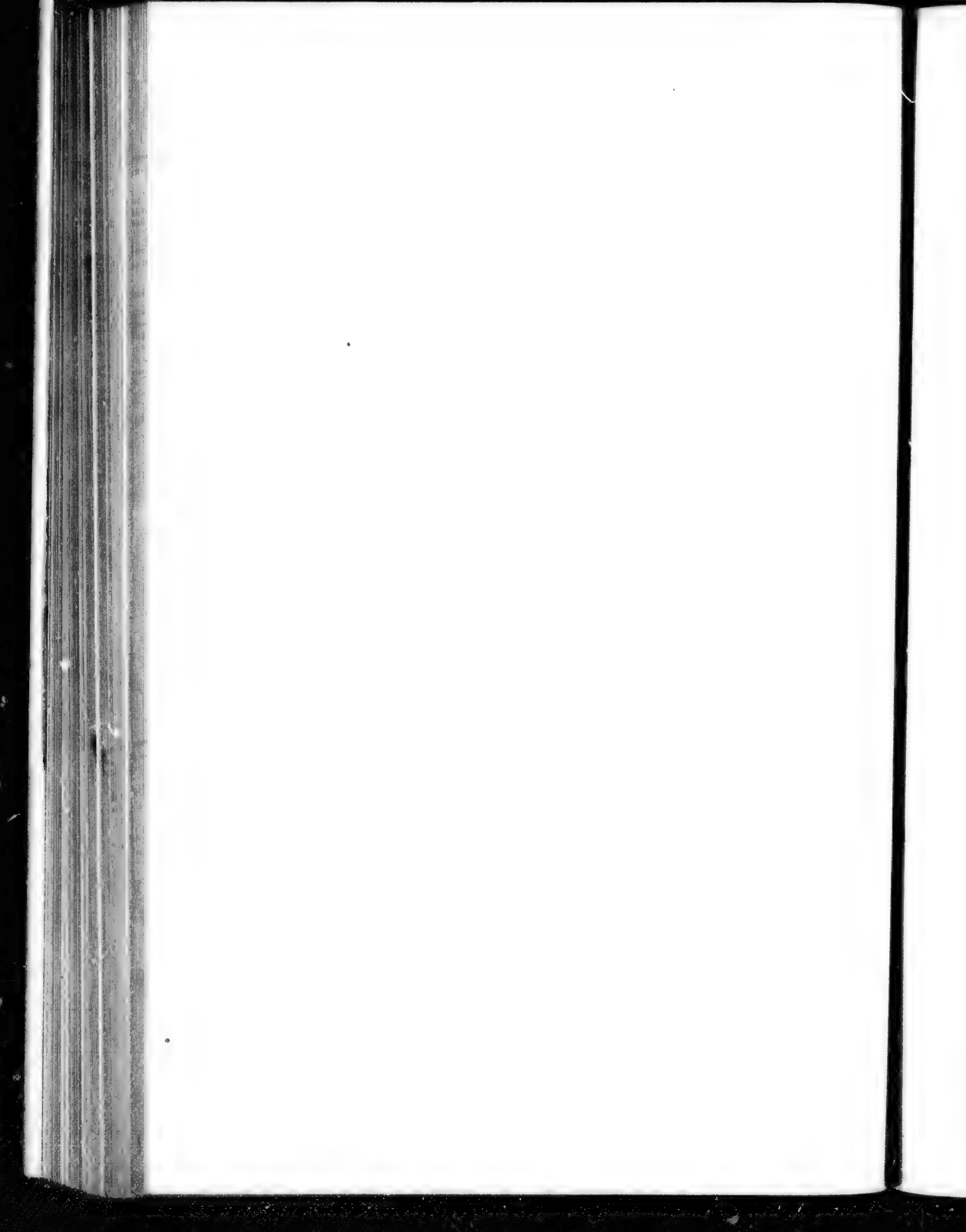
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19. When the Prolocutor is putting a question, no Member shall rise from his seat ; and every member present, when a question is put, shall be required to vote on the same, unless excused by the House.

20. In voting, those who vote in the affirmative shall first rise, and then those who vote in the negative ; and in case of an equality of votes, the question shall be decided by the casting vote of the Prolocutor, who may also vote on the motion.

21. When required by two Clerical and two Lay Delegates, the vote of the House upon any question may be taken by orders voting separately ; and in that case a majority of both orders shall be necessary to an affirmative vote.

22. On a division, the names of those who vote for or against a question shall be recorded in the Minutes, if required by three members.

23. A question being once determined shall not again be drawn into discussion in the same Session, without the unanimous consent of the House.

24. Committees shall not be appointed without notice, excepting Standing Committees, Committees of the Prolocutor to the Upper House and Committees of course, such as those which follow upon the adoption of a Resolution, which requires a Committee.

25. When a separate Committee of this House has been named, whose function is deliberative, the Prolocutor shall direct what number of its members do form a quorum, unless the quorum be fixed by the Resolution under which the Committee is appointed.

26. When a Committee is appointed, the Mover of the Resolution asking for the Committee shall be Chairman of the Committee, or when a Resolution is referred to a Committee, the mover of the Resolution shall be Chairman, unless the Committee has already been organized.

27. Reports of Committees shall be in writing, signed by the Chairman, and shall be received in course, but a motion may be made for re-committal.

28. Motions with reference to Reports from Committees shall take precedence of other motions on the paper.

29. Whenever it shall happen that members appointed on Committees are not re-elected to the Provincial Synod, the Prolocutor may appoint others from the same Diocese or Dioceses to fill their place ; and in order thereto, a copy of the certified lists of Clerical and Lay Delegates sent to the Secretaries shall be sent by them to the Prolocutor.

30. It shall be the duty of the Secretaries to arrange a list of all unfinished business, and all notices of motions sent to them by members to be brought before the Provincial Synod, according to the order in which they are received ; and, under the direction of the Metropolitan, to cause a printed copy of the same to be sent to every member of the Synod twenty-one days before its meeting ; which business and notices shall stand first on the order of the day.

31. A Standing Committee of three Clerical and three Lay members of the Synod shall be appointed on the first day of the meeting of the Synod, and such Committee shall arrange for each day the order of precedence of the several motions, of which notice has been given, and have them printed.

32. In any unprovided case, resort shall be had to the Rules of Order of the House of Commons in Canada for guidance.

33. No Canon shall be enacted unless the same has been transmitted by the Secretaries of the Lower House to the Members of the Provincial Synod at least one month before the meeting of the Synod, or unless the same has been left over as unfinished business, and printed in the journal of the previous Session.

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CANONS OF PROVINCIAL SYNOD.

I.—OF THE ELECTION OF THE METROPOLITAN BISHOP.

1. From and after the day on which the See of Montreal shall next become vacant, the Bishop of Montreal shall not, by virtue of his office as such, be the Metropolitan of this Ecclesiastical Province.

2. After the expiration of three months, and not later than the expiration of six months after the next and every subsequent avoidance of the Metropolitan See, the Bishops of the said Province shall meet under the presidency of the senior Bishop, or in case of his inability to act, under the presidency of the Bishop next in order of seniority, and it shall be his duty to summon them to that end, at some place within the Ecclesiastical Province, by giving at least six weeks' notice of the time and place of meeting, and elect one of their number to be president of the House of Bishops, and the Bishop so elected shall thereupon, *ipso facto*, be the Metropolitan Bishop, and shall have, possess and exercise any prerogatives which the Metropolitan Bishop in the said Province now has, possesses and exercises, or may or can have, possess and exercise, any law, usage or custom of the said Province to the contrary in any wise notwithstanding.

3. The See of the said Bishop so elected as aforesaid, shall be the Metropolitan See of the said Province, but the City of Montreal shall be, as it presently is, the place of the Meeting of the Provincial Synod of the said Province.

4. Until the election of the said Metropolitan Bishop, the said senior Bishop shall, after each such avoidance aforesaid of the Metropolitan See, be vested with all the rights, powers, privileges, and prerogatives of Metropolitan Bishop aforesaid.

5. All rules, regulations, canons or other provisions of law of the said Province inconsistent with the foregoing provisions, shall be and the same are hereby repealed.

6. In such election of the Metropolitan Bishop, it shall be necessary that a majority of all the Bishops of the Diocese in the Ecclesiastical Province of Canada concur either by actual vote at the meeting called for such election or else in writing under their hand and seal.

II.—ON SUBMISSION OF CLERGY TO THE CANONS OF THE PROVINCIAL AND DIOCESAN SYNODS.

No Bishop within this Province shall hereafter grant his license to any clergyman to the cure of souls until such clergyman has first subscribed and declared his submission to the Canons of the Provincial Synod, and of the Synod of the Diocese of such Bishop, in the following form :

I (A. B.) do willingly subscribe to and declare that I assent to and abide by the Canons which have been, or shall be, from time to time, passed by the Provincial Synod, or the Synod of the Diocese of—

III.—ON THE POWERS OF THE METROPOLITAN.

1. The Metropolitan shall have precedence of all the other Bishops of the Canadian Dioceses, and the said other Bishops shall be his Suffragans.

2. The Metropolitan shall preside over the House of Bishops, and shall convene the Provincial Synod and be the President thereof.

3. Upon a memorial signed by two-thirds of the Clerical and Lay Members of any Diocesan Synod, certified to be such by the Clerical and Lay Secretaries of such Diocesan Synod, requesting the Metropolitan Bishop to exercise visitatorial power in such Diocese, the said Metropolitan Bishop shall have full power and authority to visit such Diocese, and the Bishop thereof, and during such visitation, to inhibit the exercise of all or of such part or parts of the ordinary jurisdiction of such Bishop, as to him the Metropolitan Bishop shall seem expedient, and during the time of such visitation to exercise by himself, or his commissaries such powers, functions, and jurisdiction in and over the said Diocese, as the Bishop thereof might have exercised, if he had not been inhibited from exercising the same.

IV.—ON THE TRIAL OF A BISHOP.

Offences for which a Bishop may be tried.

1. (A.) Crime or immorality.

2. Advisedly holding and teaching, whether publicly or privately, any doctrine contrary to that held by the Canadian Branch of the United Church of England and Ireland.

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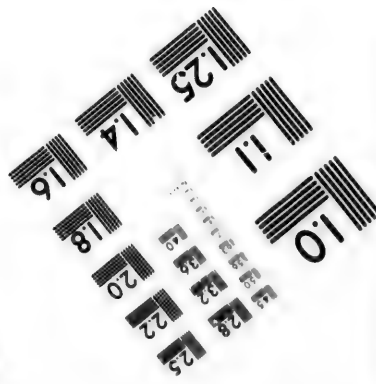
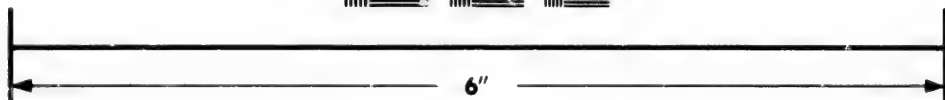
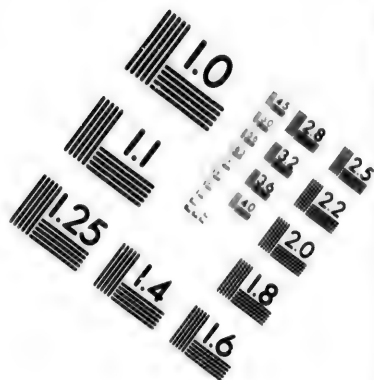
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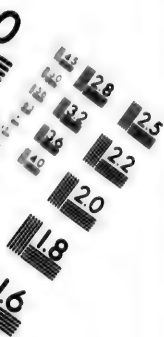
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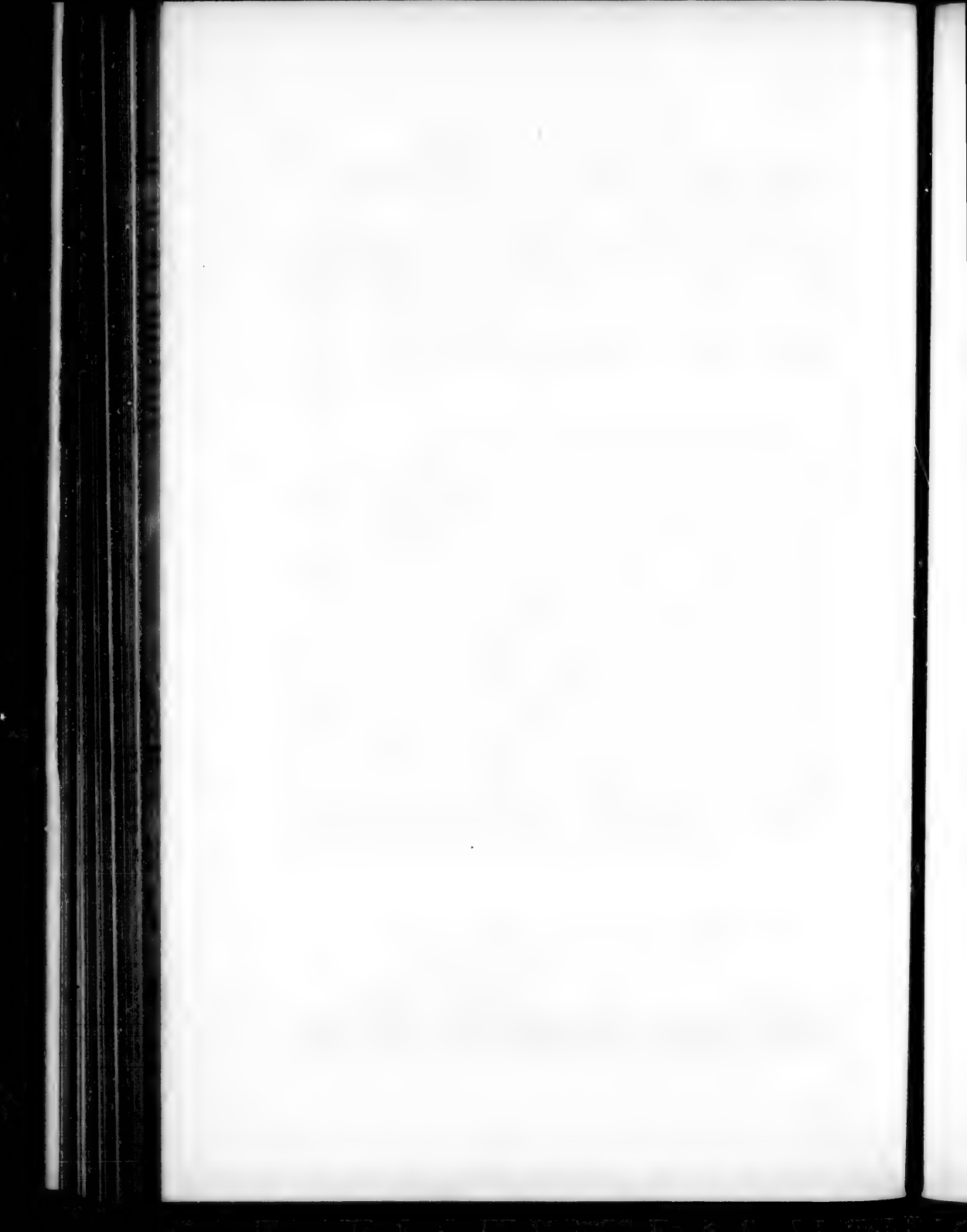
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3. Wilful violation of the constitution or canons of the Provincial Synod.

4. Wilful violation of the constitution or canons of the Diocese to which he belongs.

1. (B.) All charges against a Bishop shall be made in writing, and shall be signed by seven male communicants in good standing, of whom three at least shall be Priests.

Action on Rumours.

2. Whenever a Bishop of this Church shall have reason to believe that there are in circulation rumours, reports or charges affecting his moral or religious character, he may, if he please, if acting in conformity with the written advice and consent of any two of his brother Bishops, demand of the Metropolitan, or if the Metropolitan be the Bishop affected by such rumour, then of the Bishop senior by consecration, to convene a Board of Inquiry in the mode hereinafter set forth.

3. Accusers may choose a lay advocate in preparing proofs and charges, &c., or they may prepare such charges themselves, and in either case the grounds of accusation must be set forth with reasonable certainty of time, place and circumstance.

Charges, to whom to be delivered.

4. Charges prepared in either of the modes mentioned, shall be delivered to the Metropolitan, if he be not the accused; if he be the accused, the charges shall be delivered to the Bishop senior by consecration.

5. Accusers must give security for costs in the sum of one thousand dollars.

Board of Preliminary Inquiry, how constituted.

6. The Metropolitan or senior Bishop, as the case may be, shall appoint the Deans, Archdeacons and Chancellors of the different Dioceses of the Province as a Board of preliminary inquiry, the majority of whom shall form a quorum.

Notice to Members.

7. The Metropolitan or senior Bishop, as the case may be, shall give notice thereof to said Board, and direct them to attend at the time and place designated by him, and organize the Board; and it shall be the duty of each member so notified to attend. The place of meeting must be within the Diocese of the accused. The Metropolitan or senior Bishop shall send at the same time a copy of the charges to the senior dignitary of the Board.

8. The sittings of the Board shall be private.

9. The Rules of evidences adopted by the Board shall be those of the Civil Courts of this Province ; but two witnesses shall be necessary to the proof of any charge.

Presentment.

10. If the majority of the Board present shall be of opinion that there are sufficient grounds to put the accused Bishop upon his trial, they shall direct the Chairman to prepare a presentment, to be signed by such of the Board as agree thereto.

11. The Chairman shall transmit to the Bishop from whom they received the charge, the presentment thus signed, and the Bishop shall send to the accused Bishop a copy of the same.

12. If a majority of the Board present shall be of opinion that there is not sufficient ground to put the accused Bishop on his trial, in such case the charges, together with the certificate of the Metropolitan, or senior Bishop by consecration, of its refusal to make a presentment, shall be prepared in duplicate, one to be sent to the Secretary of the Provincial Synod, to be deposited amongst the archives of the Synod, and the other to the members of the Diocesan Synod of the Diocese where the Bishop has been so charged. No proceedings to be had thereafter by way of presentment on such charges, except on affidavits of two male communicants of the Church, of good standing, of their discovery of new testimony as to the facts charged, and setting forth what such testimony is, which affidavits shall be transmitted to the Chairman of the Court of Inquiry, who shall decide whether they afford ground for a second investigation ; and in case he decides that such second investigation is necessary, he shall notify the Metropolitan, or senior Bishop by consecration, as the case may be, who shall direct an inquiry as hereinbefore ordered ; and if he decides it to be unnecessary, he shall notify the same to the Metropolitan, or senior Bishop by consecration, as the case may be.

Limitations of Time.

13. No presentment shall be made in any case unless the alleged offence shall have been committed within two years next before the day on which the charges were delivered to the Metropolitan, or senior Bishop by consecration, except the charge be of such a nature that it would subject the accused to indictment before the civil courts.

Trial.

14. When a presentment shall have been made by the Board of Inquiry, or the majority thereof, it shall be the duty of the Bishop forthwith to give to the accused written notice to attend at the place appointed for the trial.

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15. The Court shall be formed of the Bishops of the Province, the majority of whom must be present, excluding the accuser, if he be a Bishop, and the accused.

16. The Bishop to whom the presentment was made shall communicate to every Bishop that he is to attend as a member of the Court; he shall also appoint the time and place for the assembling of the Court; the time shall be within two calendar months of date of such notice, and the place shall be within the Diocese of the accused Bishop. The Bishop to whom the presentment has been made shall inform the accused Bishop, by written notice to be left at his usual place of residence, of the time and place appointed for the meeting, and summon him then and there to appear and answer.

17. The Bishops shall appoint a legal assessor at the time of trial.

18. If the accused refuse or neglect to appear, then the Court shall proceed *ex parte* to pronounce him in contumacy, and pronounce judgment in the case.

19. Accused may have counsel, the number of which is to be regulated by the Court.

20. The decision of the Court on all the charges shall be reduced to writing, and signed by those who assent to it, who must form a majority of the Court.

21. Sentence of the Court, if the accused be found guilty, shall be either admonition, suspension for a definite period, deprivation, or degradation.

22. The judgment of the Court to be communicated to every Ecclesiastical authority within this Province, to the Provincial Synod, and to the Synod of the Diocese of the accused Bishop; and such Diocesan Synod shall forthwith proceed to enter and record such judgment. A full record of its proceedings shall be kept by every Court.

23. The assessors of the Court shall have no vote in any case whatever.

24. A charge for erroneous doctrine may be made against any Bishop of this Church, or by any other Bishop in communion with this Church, not under suspension, deprivation or degradation.

25. In case of a charge of erroneous doctrine made by a Bishop, as aforesaid, if the Bishop accused be afterwards put upon his trial, the Court shall be composed of all the Bishops except the accuser and accused; three Bishops must be present, and the consent of the majority shall be necessary to a conviction.

V.--COURT OF APPEAL OF THE METROPOLITAN

How Constituted.

The House of Bishops, presided over by the Metropolitan, or President of the Upper House, or Senior Bishop in their absence, with two or more assessors to be, from time to time, nominated by the said House of Bishops, shall be the Court of Appeal from the judgment of any Diocesan Court.

Three Bishops shall constitute a quorum of the Court of Appeal, and the decision of the majority of the Bishops sitting in Appeal shall bind, and in the event of an equality of votes the decision of the Court appealed from shall stand affirmed.

The Bishop of any Diocese, who has given any judgment either alone or in any Diocesan Court in, or is a party to any case, shall not set in Appeal in such case.

Officers of the Court.

There shall be a Registrar of the Court of Appeal, and such other officers as the Court may deem necessary to be appointed from time to time by the Metropolitan.

When Appeal shall lie.

An Appeal shall lie to the Court of Appeal, in all cases adjudged by any Diocesan Court, on behalf of any party to the case or proceeding in the Diocesan Court.

There shall be no appeal for any error or defect in form in any proceeding or judgment in a Diocesan Court.

An Appeal shall lie to the Court of Appeal from the judgment or decision of the Bishop of any Diocese.

Proceedings of the Court.

The Court of Appeal may sit in any Diocese, at such times and places as the Court shall, from time to time, order and direct.

The Appellant shall give notice of Appeal to the Respondent, and the Bishop of the Diocese, in the Court of which the judgment appealed from is given, within one calendar month after such judgment.

The Appellant shall give to the Respondent, within two calendar months after such judgment is given, a bond with sufficient securities, to be approved by the Registrar of the Court of Appeal in the sum of \$400, to secure the Respondent for the costs of appeal, in case the appeal is dismissed.

Every Appeal shall be prosecuted to a hearing by the Appellant within one year after such judgment given, if the Court of Appeal shall sit within such period of one year, and if the Court of Appeal

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shall not so sit, then at the first sitting of the Court of Appeal, after such year shall have expired.

The Appellant shall, within three calendar months after such judgment, bring into the Court of Appeal and file with the Registrar thereof, a transcript of all the proceedings and judgments appealed from, certified to be correct by the Registrar of the Diocesan Court, or the Bishop of the Diocese, whose judgment is appealed against.

If any of the proceedings in the next preceding four sections are not taken within the times respectively limited therefor, the Appeal shall be considered dismissed, and the judgment appealed from shall stand.

The Appellant shall give the Respondent one calendar month's notice in writing of the hearing of the Appeal.

The Court of Appeal shall make such rules and orders, as to the forms of procedure and practice, fees and costs, as such Court shall from time to time deem necessary.

VI.—OF MINISTERING IN PARISHES.

1. No Clergyman shall absent himself from his charge for more than four weeks at a time, without the written consent of the Bishop ; or, in his absence, of his Commissary.

2. No person shall be permitted to celebrate Divine Service or perform any office of the Church, permanently or occasionally, except he shall have been Episcopally and Canonically ordained, and it shall be the duty of the Incumbent or, in his absence, of the Church-wardens, to demand proof of such ordination and of the good standing of the Clergyman before permitting him to officiate.

No person shall perform the office of Lay Reader except he shall hold the Bishop's license.

This Canon shall not apply to the students of any Theological College, so as to prevent them from reading the Lessons in the College Chapel, or to Laymen, occasionally officiating, when there is a necessity for it.

3. No Clergyman shall officiate in any Mission or Parish, either as substitute for the Incumbent or as his assistant, for more than one month, without the written license of the Bishop, and no person who has availed himself of this implied permission shall be allowed to officiate again in the same Mission or Parish within a period of three months, unless he obtain the license of the Bishop or the Bishop's Commissary.

4. No Bishop of one Diocese shall perform any Episcopal

functions in another without the sanction of the Bishop thereof, save in the case provided for by the Canon relating to the powers of the Metropolitan, nor shall any Bishop perform any such functions in any vacant Diocese except by instruction from the Metropolitan ; or, in case of the voidance of his Diocese, from the Senior Bishop of the Province.

VII.—OF LETTERS TESTIMONIAL.

When a Priest or Deacon in good standing is desirous of leaving a Diocese, it shall be the duty of the Bishop to give him, on his request, the usual "Letters Testimonial," but the Clergyman receiving the same, shall continue subject to the Episcopal Jurisdiction of the Bishop till the Letters Testimonial shall have been presented according to their address, and accepted by the Bishop to whose Diocese the Clergyman wishes to be transferred ; provided always that if they be not presented within three months after their date, they may be considered as void by the authority whence they proceeded, and shall be void unless they be presented within six months.

VIII.—OF EPISCOPAL RESIGNATIONS.

If a Bishop shall desire to resign his Diocese, he shall give in his resignation to the Metropolitan, in writing, or (if he be himself Metropolitan) to the Bishop senior by Consecration ; but such resignation shall not be accepted :

1. Except with the consent of two-thirds of the House of Bishops in Session assembled, provided that not less than a majority of the whole number of Bishops of the Province be present and voting.
 2. Such Session of the House shall be held within three months of date of the receipt of the resignation by the Metropolitan.
 3. The acceptance of any such resignation shall be signified in writing by the Metropolitan to the Bishop desiring to resign his See, and to the Secretaries of his Diocesan Synod, such notification to specify the date at which the resignation shall take effect, which shall not be later than three months from the date of the acceptance of such resignation.
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IX.—OF THE SUB-DIVISION OF DIOCESES.

The House of Bishops shall have the power of sub-dividing existing Dioceses, or of forming a new Diocese out of portions of

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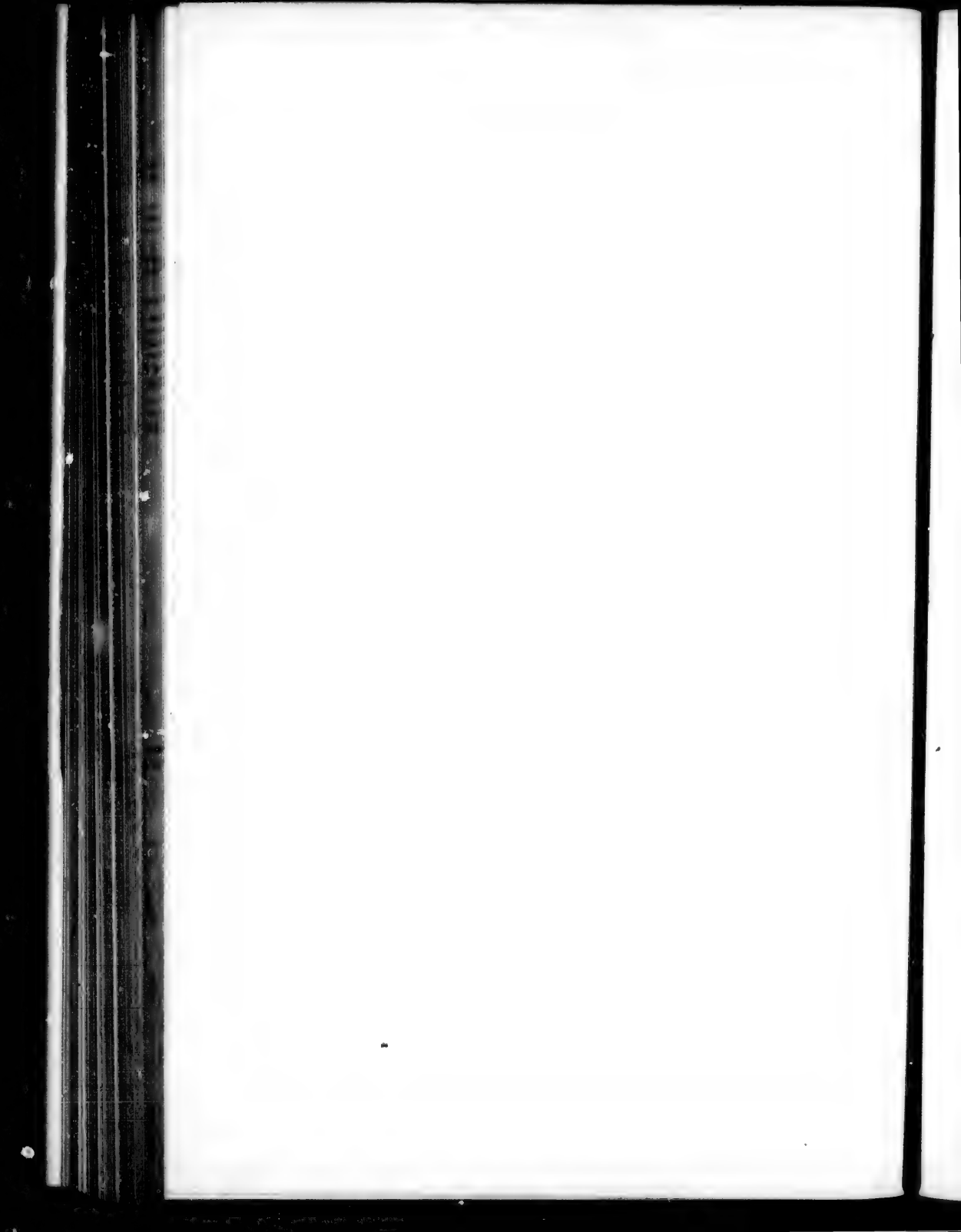
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existing Dioceses, which may be contiguous, with concurrence, or upon the application, of the Synod or Synods of the Diocese or Dioceses affected, and it shall be the duty of such Synod or Synods to consider without delay, any proposal for the subdivision of a Diocese which may emanate from the House of Bishops.

X.—OF THE OFFICIATING OF STRANGE CLERGYMEN IN A DIOCESE.

When a Bishop is aware that a clergyman not of his Diocese is officiating or about to officiate in his Diocese, and when the said Bishop shall have good reason to believe that doubts exist regarding the clergyman's orthodoxy, canonical ordination, or good morals, then the Bishop may inhibit him from officiating within his Diocese, by a writing addressed to him, and to the clergy; and any clergyman after the receipt of the Bishop's inhibition, permitting such inhibited person to perform any clerical function in his Church or Mission Chapel, shall be proceeded against by the Bishop for breach of Canonical obedience.

XI.—OF MISSIONARY BISHOPS.

1. The Provincial Synod may elect a suitable Priest to be a Missionary Bishop over a district not within any organized Diocese or over a District which includes within the new Territory a part or parts of one or more existing Dioceses, and when the House of Bishops shall be satisfied that adequate provision has been made for the support of a Missionary Bishop, the Metropolitan or presiding Bishop may convene the Provincial Synod for the purpose of electing such Missionary Bishop, by the joint action of the Upper and Lower House, which election shall be conducted in the following manner:—The House of Bishops shall present to the Lower House one or more names for election by ballot, and if none of these names shall be accepted by the Lower House, further names shall be presented by the Upper House until it shall signify that it has no other name to present. All names presented to the Lower House shall be before it for election until an election shall have been made. A majority of votes, Clerical and Lay, shall be necessary to an election.

2. In case a Missionary Bishop shall be appointed in the manner hereinbefore mentioned over a District which includes or consists of a part or parts of one or more existing Dioceses, the Missionary Bishop shall exercise no jurisdiction over any part or parts of such other Diocese or Dioceses, until the Synod

or Synods of the Diocese or Dioceses affected shall have consented to his so doing, and it shall be the duty of such Synod or Synods to consider without delay any such proposal.

3. The Bishop elected, as aforesaid, shall exercise his Episcopal functions in such Missionary District in conformity with the Constitution and Canons of this Province, so far as they can be made applicable to the condition of his District.

4. Every Missionary Bishop shall be entitled to a seat in the House of Bishops, and shall report to the Metropolitan for the information of the Provincial Synod, at every meeting of the Synod, concerning the state and condition of the Church in his Missionary District.

5. In the event of a vacancy occurring in any Missionary Diocese, the Provincial Synod shall be summoned, within six months, to elect another Missionary Bishop, provided the regular meeting of the Provincial Synod shall not take place within twelve months after such vacancy, in which case the election shall be postponed until such regular meeting, and in the meantime, the duties of the late Bishop shall devolve, so far as they can be discharged by him, on a Commissary, whom it shall be the duty of every Missionary Bishop to appoint on his consecration, and from time to time, as the office shall become vacant.

6. Nothing contained in the first clause of this Canon shall prevent the election of a Missionary Bishop at this Session of the Synod, or at any adjourned session of the same.

7. Any Diocese of the Province may, if it desires so to do, separate and set apart any portion of its Territory as a District suitable for the establishment therein of a Missionary Bishopric, and such Territory so set apart may become a Missionary Diocese and a Bishop be appointed thereto in accordance with the foregoing Canon.

XII.—FOR ALTERING THE ORDER OF THE PUBLIC SERVICE IN CERTAIN CASES.

Whereas the Convocations of Canterbury and York did introduce certain modifications into the order of the Public Service of the Church; and whereas the Imperial Parliament did by Act 35 and 36 Vic., Chap. 35, sanction and authorize the same as amendments to the Act of Uniformity; and whereas it is expedient to extend such modifications to this Ecclesiastical Province:—

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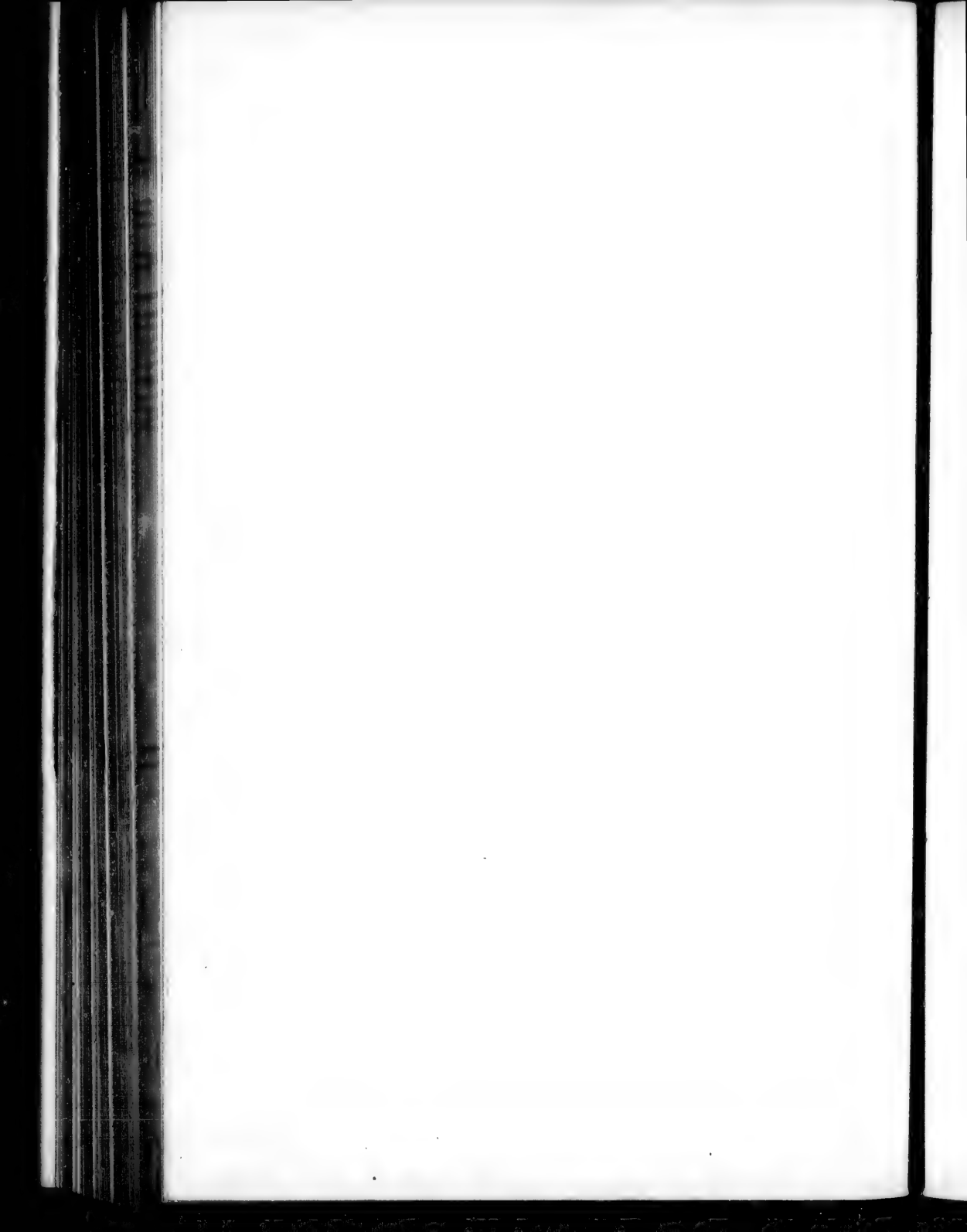
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USE OF SHORTENED FORM OF MORNING AND EVENING PRAYER.

The shortened Order for Morning Prayer, or for Evening Prayer, specified in the schedule of this Canon, may, on any day except Sunday, Christmas Day, Circumcision, Epiphany, Ash Wednesday, Good Friday and Ascension Day, be used in lieu of the Order for Morning or for Evening Prayer respectively prescribed by the Book of Common Prayer.

The permission hereby granted to use the shortened form of Morning and Evening Prayer specified in the Schedule of this Canon, is hereby extended to Sundays and Holy Days, when the Clergyman shall deem it desirable, either from the peculiar condition of his congregation, or from the laborious nature of his ministrations. Such liberty, however, shall not be used without the written sanction and approval of the Bishop.

SPECIAL SERVICE FOR SPECIAL OCCASIONS.

Upon any special occasion approved by the Ordinary there may be used in any Cathedral or Church a special form of service approved by the Ordinary, so that there be not introduced into such service anything, except anthems or hymns, which does not form part of the Holy Scriptures or Book of Common Prayer.

ADDITIONAL SERVICE ON SUNDAYS AND HOLY-DAYS.

An additional form of service, varied from any form prescribed by the Book of Common Prayer, may be used at any hour, on any Sunday or Holy-day, in any Cathedral or Church in which there are duly read, said, or sung as required by Law, on such Sunday or Holy-day, at some other hour or hours, the Order for Morning Prayer, the Litany, such part of the Order for the Administration of the Lord's Supper or Holy Communion as is required to be read on Sundays or Holy-days if there be no Communion, and the Order for Evening Prayer, so that there be not introduced into such additional service any portion of the Order for the Administration of the Lord's Supper or Holy Communion, or anything except anthems or hymns, which does not form part of the Holy Scriptures or Book of Common Prayer, and so that such form of service and the mode in which it is used is, for the time being, approved by the Ordinary.

SEPARATION OF SERVICES.

Whereas doubts have arisen as to whether the following forms of service, that is to say: the Order for Morning Prayer, the Litany, and the Order for the Administration of the Lord's Supper or Holy Communion, may be used as separate services, and it is expedient to remove such doubts; Be it, therefore, enacted and

declared, that any of such forms of service may be used together, or in varying order, as separate services, or that the Litany may be said after the third Collect in the Order for Evening Prayer, either in lieu of or in addition to the use of the Litany in the Order for Morning Prayer, and any of the said forms of service may be used with or without the preaching of a sermon or lecture, or the reading of a homily.

PREACHING A SERMON WITHOUT PREVIOUS SERVICE.

Whereas doubts have arisen as to whether a sermon or lecture may be preached without the common prayers and services appointed by the Book of Common Prayer for the time of day being previously read, and it is expedient to remove doubts; be it therefore, enacted and declared, that a sermon or lecture may be preached without the common prayers or services appointed by the Book of Common Prayer being read before it is preached, so that such sermon or lecture be preceded by any service authorized by the Canon, or by the Bidding Prayer, or by a Collect taken from the Book of Common Prayer, with or without the Lord's Prayer.

SCHEDULE.

NOTE—The Minister using the Shortened Order for Morning Prayer or for Evening Prayer in this Schedule, may, in his discretion, add in its proper place any exhortation, prayer, canticle, hymn, psalm, or lesson contained in the Order for Morning Prayer or for Evening Prayer in the Book of Common Prayer, and omitted, or authorized to be omitted, from such shortened order.

SHORTENED FORM OF SERVICE FOR MORNING PRAYER, DAILY
THROUGHOUT THE YEAR, EXCEPT SUNDAY, CHRISTMAS DAY,
CIRCUMCISION, EPIPHANY, ASH WEDNESDAY, GOOD
FRIDAY AND ASCENSION DAY.

At the beginning of Morning Prayer the Minister shall read with a loud voice one or more of these sentences of the Scriptures that follow :

"When the wicked man," &c.

A General Confession to be said of the whole Congregation after the Minister, all Kneeling :

"Almighty and Most Merciful Father," &c.

The Absolution or Remission of Sins, to be Pronounced by the Priest alone, Standing, the People still Kneeling :

"Almighty God, the Father," &c.

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The People shall answer here, and at the end of all the other prayers, "Amen."

Then the Minister shall Kneel and say the Lord's Prayer with an audible voice; the People also Kneeling and repeating it with him:

"Our Father, which art in Heaven, &c.

Then likewise he shall say:

"O Lord, open Thou our lips, &c.

Here all Standing up, the Priest shall say:—

"Glory be to the Father," &c.

Then shall follow the Psalms appointed. And at the end of every Psalm throughout the year, and likewise at the end of the Benedicite Benedictus, Magnificat and Nunc Dimittis, shall be repeated:

"Glory be to the Father," &c.

Then shall be read distinctly, with an audible voice, either the First Lesson taken out of the Old Testament as is appointed in the Calendar, or the Second Lesson taken out of the New Testament, except there be a Proper Lesson assigned for that day, in which case the Proper Lesson shall be read, and if there are two Proper Lessons, each shall be read in its proper place; he that readeth so Standing and turning himself as he may best be heard by all such as are present.

Note—That before every Lesson the Minister shall say:

"Here beginneth" (such a chapter or verse of such a chapter of such a Book.)

After every Lesson.

"Here endeth" the Lesson, or the First or the Second Lesson.

And after the Lesson, shall be said or sung in English the following:

Either the Hymn called "Te Deum Laudamus."

"We praise Thee, O God," &c.;

Or this Canticle,

Benedicite, omnia opera.

"O all ye works of the Lord," &c.

Or the Hymn following (except when that shall happen to be read in the Lesson for the day, or for the Gospel on St. John the Baptist's Day);

Benedictus, St. Luke 1, v. 68.

"Blessed be the Lord God of Israel," &c.

Or this Psalm,

Jubilate Deo.

"O be joyful in the Lord all ye lands," &c.

Then shall be said or sung the Apostles' Creed by the Minister and the People Standing, except only on such days as the Creed of St. Athanasius is appointed to be read. After that, the people all devoutly Kneeling, the Minister shall pronounce with a loud voice :

"The Lord be with you."

Answer.—"And with thy spirit."

Minister.—"Let us pray."

Then the Priest shall say :

"O Lord, shew thy mercy upon us," &c.

Then shall follow three Collects. The first of the Day, which shall be the same that is appointed at the Communion : the second for Peace : the third for Grace to live well : and the two last Collects shall never alter, but daily be said at Morning Prayer throughout all the year, as followeth, all kneeling.

The second Collect, for Peace :

"O Lord, who are the author of Peace," &c.

The third Collect for Grace :

"O Lord, our heavenly Father," &c.

Here may follow an Anthem or Hymn.

Then these two prayers following :

A Prayer of St. Chrysostom.

"Almighty God, who hast given us grace," &c.

2 Corinthians, xiii. :

"The grace of our Lord Jesus Christ," &c.

Here endeth the Shortened Order of Morning Prayer.

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THE SHORTENED ORDER FOR EVENING PRAYER, DAILY THROUGHOUT
THE YEAR, EXCEPT ON SUNDAY, CHRISTMAS DAY, CIR-
CUMCISION, EPIPHANY, ASH WEDNESDAY, GOOD
FRIDAY AND ASCENSION DAY.

At the beginning of Evening Prayer the Minister shall read with a loud voice some one or more of these sentences of the Scriptures that follow :

"When the wicked man," &c.

A General Confession to be said by the whole Congregation after the Minister, all Kneeling :

"Almighty and most merciful Father," &c.

The Absolution or Remission of sins, to be pronounced by the Priest alone Standing ; the People still Kneeling :

"Almighty God, the Father," &c.

Then the Minister shall Kneel and say the Lord's Prayer the People also Kneeling and repeating it with him :

"Our Father, which art in heaven," &c.

Then likewise he shall say :

"O Lord, open Thou our lips," &c.

Here all Standing up, the Priest shall say :

"Glory be to the Father," &c.

Then shall be said or sung one or more of the Psalms in order as they be appointed. Then either a lesson of the Old Testament, as it is appointed, or a lesson of the New Testament, as it is appointed, except there is a Proper Lesson assigned for that day, in which case the Proper Lesson shall be read, and if there are two Proper Lessons, each shall be read in its proper place ; and after the Lesson or between the first and second Lessons, shall be said or sung in English one of the following :

Either the Magnificat or the Song of the Blessed Virgin Mary, in English, as follows :

Magnificat. St. Luke 1.

"My soul doth magnify the Lord," &c.

Or else this Psalm (except it be on the nineteenth day of the month, when it is read in the ordinary course of the Psalms) :

Cantate Domino, Psalm xcvi ;

"O sing unto the Lord a new song," &c.

Or Nunc Dimittis (or the song of Simeon) as follows :

"Lord now lettest thou Thy servant," &c.

Or else this Psalm (except it be on the twelfth day of the month) :

Deus misereatur. Psalm lxxv ;

"God be merciful unto us and bless us," &c.

Then shall be said or sung the Apostles' Creed, by the Minister and People Standing :

"I believe in God the Father Almighty," &c.

And after that, the People devoutly Kneeling, the Minister shall pronounce with a loud voice :

"The Lord be with you."

Answer.—"And with thy Spirit."

Minister.—"Let us pray."

Then the Priest, Standing up, shall say :

"O Lord, show Thy mercy upon us," &c.

Then shall follow three Collects. The first of the Day : the second for Peace ; the third for aid against all Perils, as hereafter followeth ; which two last Collects shall be daily said at Evening Prayer, without alteration.

The second Collect at Evening Prayer :

"O God, from whom all holy desires," &c.

The third Collect, for aid against all Perils.

"Lighten our darkness," &c.

Here may follow an Anthem or Hymn.

A Prayer of St. Chrysostom.

"Almighty God, who hast given us grace," &c.

2 Corinthians, xiii.

"The grace of our Lord Jesus Christ," &c.

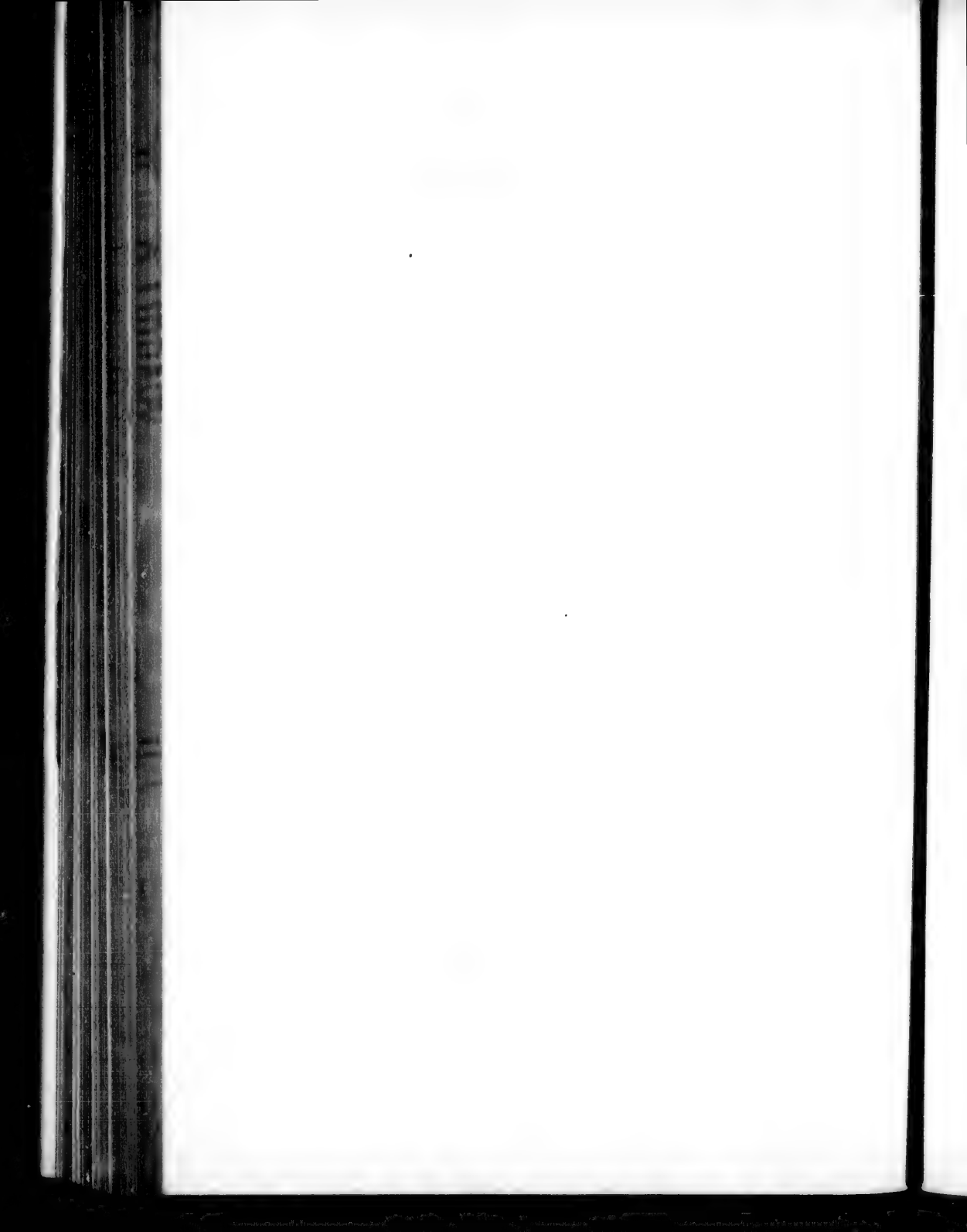
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XIII.—OF ALTERATIONS OR ADDITIONS IN PRAYER BOOK AND VERSION OF SCRIPTURES.

No alteration or addition shall be made in the Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, the Articles of Religion, or the Form and Manner of making, ordaining and consecrating Bishops, Priests and Deacons, or the Version of the Scriptures authorized to be read in Churches, unless the same shall be enacted at one session of the Provincial Synod and confirmed at another session of the same; provided that the confirmation be approved by two-thirds of the House of Bishops and two-thirds of each order of the Lower House.

Nevertheless, any alteration in or addition made to the Prayer Book or Articles by the Church of England in her Convocations, and authorized by Parliament, may be accepted for use in this Ecclesiastical Province by the Provincial Synod at one session only, without the necessity for further confirmation.

XIV.—OF THE OATHS AND SUBSCRIPTION OF THE CLERGY.

Every person about to be ordained Priest or Deacon shall, before ordination, in the presence of the Bishop by whom he is to be ordained, and every person about to be licensed to any curacy, or to be instituted to any benefice shall, before obtaining such license or being so instituted, make and subscribe the following declarations and take the following oaths.

1. The "Declaration of Assent" so called :

"I, (A. B.,) do solemnly make the following declaration: I assent to the Thirty-nine Articles of religion and to the Book of Common Prayer, and of the ordering of Bishops, Priests and Deacons; I believe the doctrine of the Church of England as therein set forth to be agreeable to the Word of God, and in Public Prayers and administration of the Sacraments, I will use the Form in the said book prescribed, and none other, except so far as shall be ordered by lawful authority."

2. The declaration of Submission to the Canons of the Provincial and Diocesan Synods, as required by Canon II of the Canons of this Ecclesiastical Province in the following terms :

"I, (A. B.,) do willingly subscribe to and declare that I assent to and abide by the Canons which have been, or shall be, from

time to time, passed by the Provincial Synod, or the Synod of the Diocese of.....

3. The Oath of Allegiance :

"I, (A. B.,) do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law. So help me God."

4. The Oath of Canonical Obedience :

"I, (A. B.,) do swear that I will pay true and Canonical obedience to the Lord Bishop of.....and his successors in all legal and honest commands. So help me God.

[No oath shall be administered during the service for the ordering of Deacons, or during the service for the ordering of Priests, or during the service for the consecration of Bishops.]

Before institution to any Benefice, the person to be instituted shall subscribe the following "Declaration against Simony."

"I, (A. B.,) solemnly declare that I have not made by myself or by any other person, any payment, contract, or promise of any kind whatsoever which, to the best of my knowledge or belief, is simoniacal, touching or concerning the obtaining the preferment of (.....), nor will I any time hereafter perform or satisfy, in whole or in part, any such kind of payment, contract or promise made by any other without my knowledge or consent."

XV.—OF THE CONSECRATION OF A BISHOP.

1. Whenever an election is made by any Diocesan Synod within the Ecclesiastical Province of Canada of a person to fill the office of Bishop, the chairman, or in the case of his death, incapacity, absence or refusal, the clerical secretary of the said Synod, shall transmit a certificate of such election to the Metropolitan, within seven days after election.

2. Such certificate shall be in the following form :—

"We, the Clergy and Lay Representatives of the Diocese of.....in Synod assembled, do hereby certify that at.....on this.....day of.....A. D.....(A. B.,) of the Diocese of.....was duly elected, according to the Canons of this Diocese, to be Bishop of.....

Signed on behalf of the Synod,

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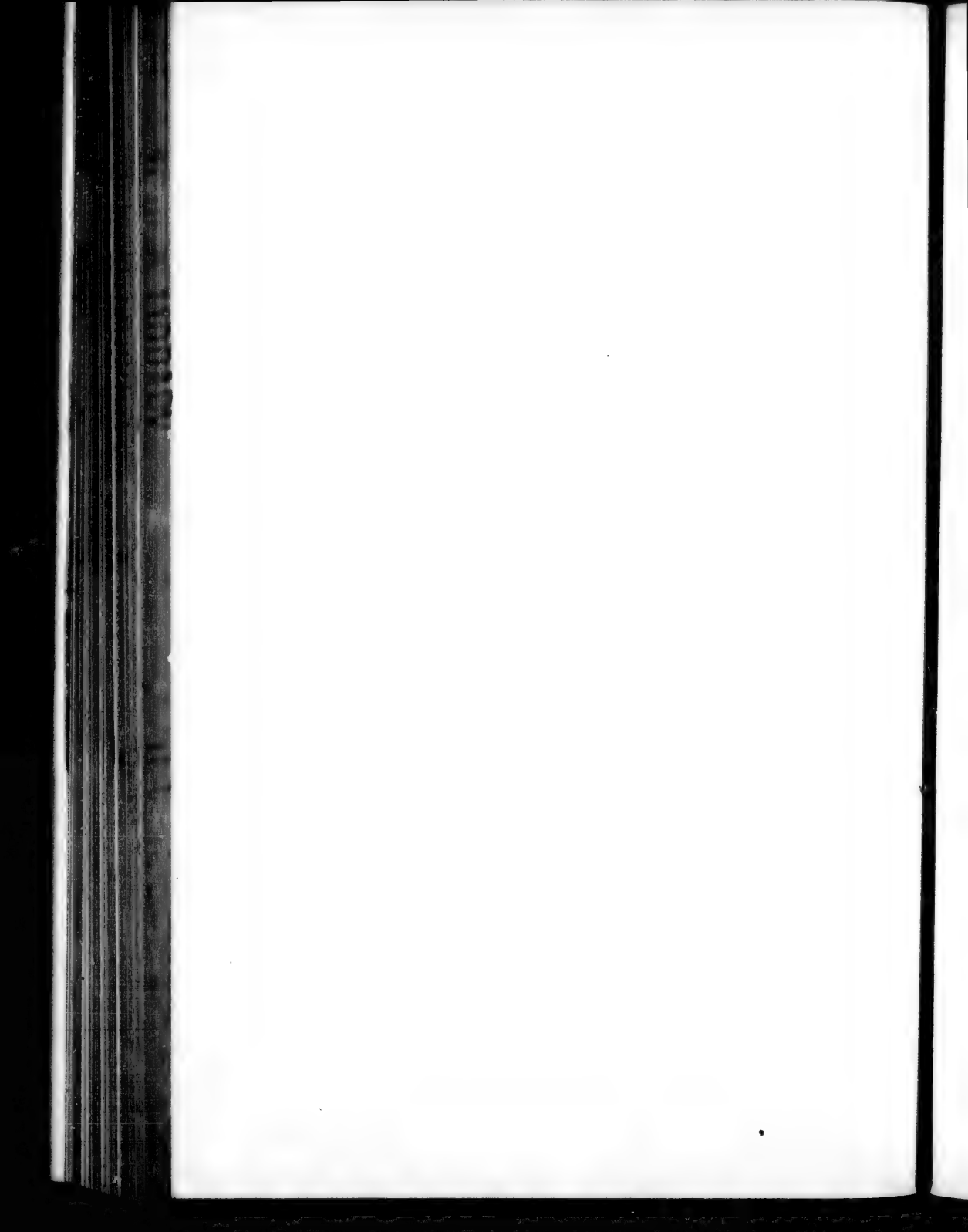
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3. On the receipt of this certificate, the Metropolitan shall, within seven days, send formal notice of such election to all the Bishops within his Ecclesiastical Province.

4. Should any of the said Bishops desire to object to the consecration of the person so elected, on the ground of canonical disability, as hereinafter defined, he shall make the objection in writing, delivered to the Metropolitan within fourteen days from the date of said notification to him of such election, setting forth the special grounds of his objection.

5. On the receipt of such objection in writing by the Metropolitan, or in case the Metropolitan himself objects to such consecration, he shall summon the House of Bishops to meet within one month, to consider such objection, giving not less than fourteen days notice of the time and place of meeting; it shall be the duty of every Bishop so summoned to attend, unless he be excused for reasonable cause to be approved by the Metropolitan; and the Metropolitan shall send by post a true copy of such objection to the person so elected, at least twenty-one days previous to the meeting referred to in this section, and shall also notify him of the time and place of meeting.

6. The House of Bishops, having heard the person so elected, or having given him every reasonable facility for appearing before them in person, or by counsel, or by proxy, if he be so minded, as well as the Diocesan Synod by its representatives duly appointed, if the said Diocesan Synod shall express its desire to be so heard; and, having heard the reasons in support of the said objection, shall decide as to its validity or otherwise, and their decision, with reasons therefor, shall be communicated in writing without delay to the person so elected, and to the secretary of the Synod which elected him.

7. Thereupon, if the majority of the Bishops of the Ecclesiastical Province determine that the objection is Canonical and has been sustained, the Synod of the Diocese aforesaid shall proceed to the election of another person to fill the office of Bishop.

8. Should no such objection be made within the period specified or other objection made, should the same not be sustained by the majority of the Bishops as aforesaid, the Metropolitan shall, with all convenient speed, proceed to the consecration of the said person so elected, and to that end shall summon two or more of the Bishops of the Ecclesiastical Province to assist him in such consecration; and it shall be the duty of such Bishops to attend at such time and place as he, the Metropolitan, shall appoint, and to assist at the consecration of the said person elected.

9. Before proceeding to consecrate, the Metropolitan shall cause to be read publicly in the church, where the consecration is held, a duly attested certificate of the election of said person to the office of Bishop, and that no Canonical impediment to his consecration exists, which shall thereupon be given in for record.

10. No Bishop who shall have made any Canonical objection as aforesaid, or who shall have voted in favor of such objection, shall be required to take part in such consecration, and if the Metropolitan shall have made such objection, the Senior Bishop of the Ecclesiastical Province, not having so objected or so voted, shall perform the duties of the Metropolitan referred to in section 8 of this Canon.

11. The following objections shall be considered canonical and none others :—

1. That the person elected is not fully thirty years of age.
2. That he is not a Priest in Holy Orders of the Church of England, or some Branch of the Church in full communion therewith.
3. That he is deficient in learning.
4. That he has either directly or indirectly secured, or attempted to secure, the office by improper means.
5. That he is guilty of any other crime or immorality.
6. That he teaches or holds, or has within five years previous to the date of his election, taught or held anything contrary to the doctrine and discipline of the Church of England.

12. The Bishop elect shall, previous to his consecration, or if already a Bishop, previous to his installation, subscribe a declaration of submission to the Canons of the Provincial Synod in the form prescribed by Canon II.

13. If a person shall be elected a Bishop of a vacant Diocese who has been previously consecrated a Bishop of the Church of England, or of any branch of the Church in full communion therewith, the said election shall be notified to the Metropolitan as hereinbefore provided, and the Metropolitan shall proceed as in the case of the election of a person in Priests' Orders, except that when no canonical objection has been received within the period limited for entering such objections, or when such objections shall have been heard and rejected by the House of Bishops, the Metropolitan, instead of proceeding to the consecration, shall issue a certificate to the Bishop so elected, and to the Secretaries of the electing Synod, that there is no canonical impediment to the installation of said Bishop.

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14. In all cases when the Bishop elected has been duly consecrated, or a certificate has been furnished by the Metropolitan, as before provided, the said Metropolitan shall, either by himself or by some person duly commissioned to act on his behalf, formally install the said Bishop elect, inducting him into the actual possession of his See.

15. In case there shall be no Metropolitan, or in case he shall be incapable of performing the duty in this Canon assigned to the Metropolitan, this duty shall be performed by the Senior Bishop of the Province, and in case of his absence or incapacity by the next in seniority, and so forth.

16. A majority of the Bishops of the Ecclesiastical Province shall constitute a quorum for the hearing of objections to the consecration of a person elected to the office of Bishop.

XVI.—ON MARRIAGE WITHIN THE PROHIBITED DEGREES.

Whereas the following Resolution was adopted by the Provincial Synod :

" No clergyman of this Ecclesiastical Province shall knowingly solemnize a marriage forbidden by the 99th Canon of the year 1603 A. D., which is as follows :—' No person shall marry within the Degrees prohibited by the laws of God, and expressed in a Table set forth by authority in the year of our Lord God 1563.' "

I. The Table of Degrees prohibiting certain marriages set forth by authority in the year of our Lord 1563, and usually annexed to the Book of Common Prayer is hereby adopted by the Church of this Ecclesiastical Province of Canada.

II. No Clergyman of this Ecclesiastical Province shall knowingly solemnize a marriage within the degrees prohibited by such Table.

III. A printed copy of the Table of Prohibited Degrees shall be placed in the Vestry-room, or near the entrance of every Church in this Ecclesiastical Province, at the charge of the parish, in some place where it may conveniently be read.

XVII.—OF LAY READERS.

Lay readers may be employed in any parish or mission under the following conditions :—The lay reader shall be selected by

the Rector or Missionary in charge, and shall be recommended by him to the Bishop for his license.

The Bishop, having satisfied himself that such person is fitted by reason of his religious character and his knowledge of the Bible and Prayer Book for the office, may license him as lay reader in the form hereto subjoined, and shall, where practicable, admit him, in person or by deputy, to his office in the presence of the people among whom he is to serve.

WE, _____ by Divine permission, Bishop of _____ do by these presents grant unto you, our well beloved in Christ, _____ in whose good morals and sound doctrine we do confide, our License and Authority to perform the duties of Lay Reader and Catechist, in the Parish or Mission of _____ under the guidance and direction of the Reverend the Minister in charge. This License to continue during our pleasure, or until the said Reverend _____ shall signify to us and to you in writing under his hand that he no longer desires to avail himself of your services, when it shall cease and determine.

Given under our Hand and Seal, this _____ day of _____ in the year one thousand eight hundred and eighty-_____ and in the _____ year of our consecration.

XVIII.—OF THE DIACONATE.

A Deacon need not surrender his worldly calling or business, (said calling being approved by the Bishop,) unless he be a candidate for the office of a Priest, and he shall not be admitted to the Priesthood till he shall have passed a satisfactory examination in Latin and Greek, and have further complied with such other requirements as the Bishop of each Diocese may impose.

Every Deacon who shall from necessity, be placed in charge of a parish or mission, shall be under the direction of a neighbouring Priest until he be advanced to the Priesthood.

XIX.—ON THE CONSTITUTION OF THE DOMESTIC AND FOREIGN MISSIONARY SOCIETY OF THE CHURCH OF ENGLAND IN CANADA.

ART. I.—This Society shall be called The Domestic and Foreign Missionary Society of the Church of England in Canada.

ART. II.—This Society shall consist of all persons who are members of this Church.

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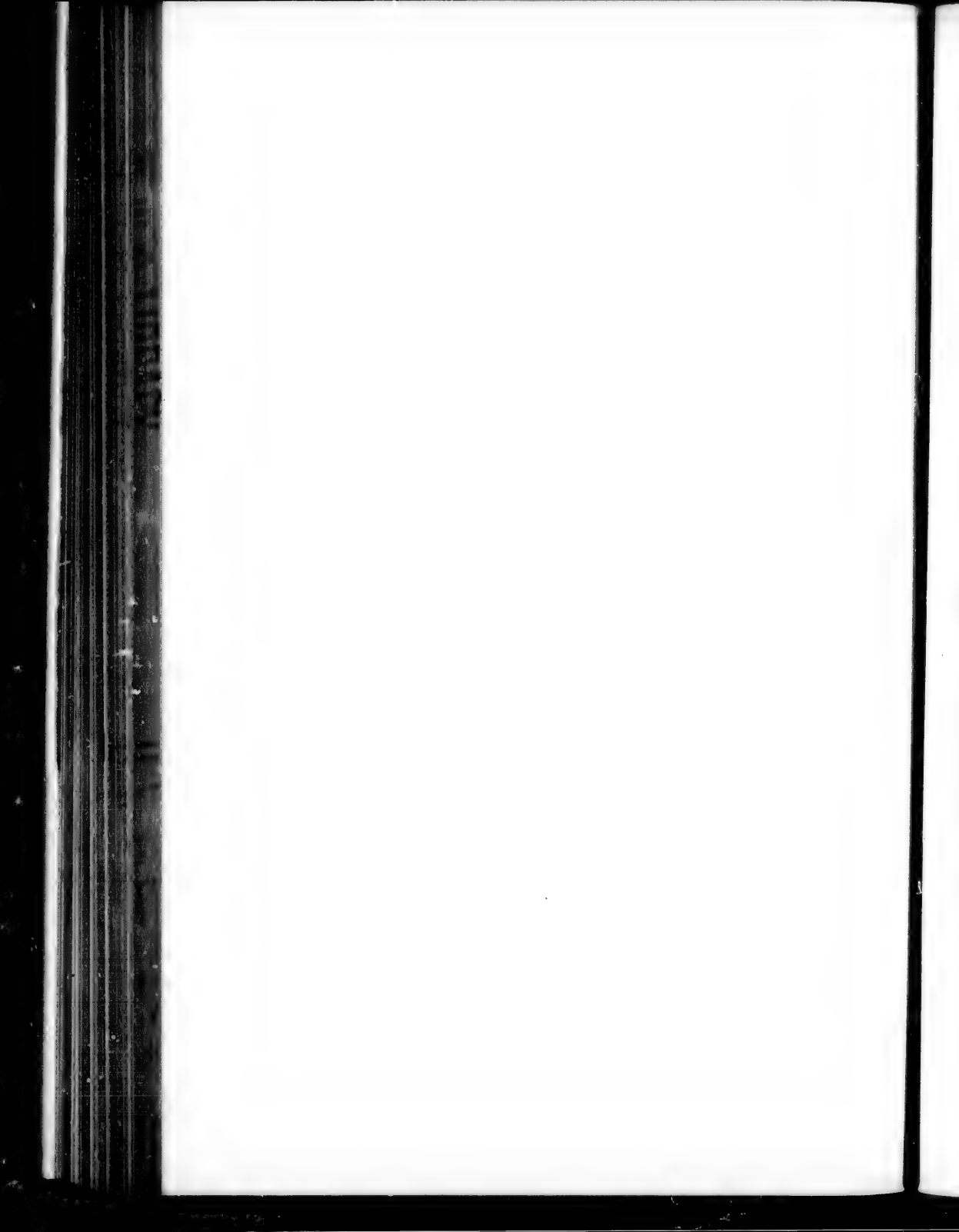
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ART. III.—The Society shall be under the control of a GENERAL BOARD OF MISSIONS, consisting of the Bishops of this Ecclesiastical Province, and the Clerical and Lay Delegates for the time being of the Provincial Synod, together with the Board of Management as hereinafter described.

On the third day of each triennial session of the Provincial Synod, the business of the Synod shall be suspended to allow the business connected with this Society to be transacted.

ART. IV.—There shall be a Board of Management which shall consist of all the Bishops of this Ecclesiastical Province and the Secretary and Treasurer of the Board, members *ex-officio*, together with two clergymen and two laymen from each Diocese, to be appointed by the General Board on the nomination of each Diocesan Synod, which nomination shall be made by such Synod at the meeting next preceding the triennial session of the Provincial Synod, and this Board shall have as far as possible the collection and administration of the General Missionary Funds of the Church (subject to the provisions hereinafter set forth), and shall remain in office until their successors are appointed, and shall have power to fill any vacancies that may occur in their number. Eight members shall constitute a quorum. This Board of Management shall, when the General Board is not in session, exercise all the powers of the General Board, and shall report to the General Board of Missions on or before the third day of such triennial session of the Provincial Synod. The Board shall meet at such times and places as they shall think fit.

ART. V.—The Board of Management is authorized to appoint such Committees, as it may deem desirable, and such officers as shall be needful for carrying on its work, and may frame such rules and regulations (not inconsistent with the Constitution and Canons of the Provincial Synod) as may be necessary for the transaction of its business.

ART. VI.—It is recommended that the funds collected in the several Dioceses for Mission work under the Canon be sent in to the Board, and the appropriations therefrom on behalf of Domestic Missions shall be made in gross to be disbursed by the local authorities of Dioceses to which such appropriations shall have been made.

Appropriations on behalf of Foreign Missions shall be made to the Great Missionary Societies of the Mother Church in England, or in such other manner as the Board of Management may direct, provided that contributions specially appropriated shall be paid in strict accordance with the wishes of the donors. Nothing in this Canon, however, shall be held in anywise to interfere with

or affect the several Diocesan Mission Funds, or with any other existing agreements made by any Parish for special missionary aid.

ART. VII.—In connection with the Board of Management, there shall be in each Diocese of the Province a Corresponding Committee, or Board of Missions, to be constituted as such Diocese may determine, who shall report all statistics and other information relating to the general purposes for which the Society is organized.

The Diocesan Board of Missions, as at present constituted, shall be the Corresponding Committee, or Boards, until other Committees, or Boards shall have been appointed under the provisions of this Canon.

The first Board of Management shall be appointed by the Provincial Synod at this Session.

XX.—ON THE REPRESENTATION OF THE MISSIONARY DIOCESE OF ALGOMA.

The Missionary Diocese of Algoma shall be represented in the Provincial Synod by two Clerical and two Lay Delegates, and for the purpose of electing such Delegates, the following regulations shall be adopted :—

1. On or before the first day of May, in the year 1891, and in each third year thereafter, the Bishop of Algoma shall appoint two scrutineers, one of whom shall be a priest having a cure of souls in the said Diocese, and the other of whom shall be a layman resident therein and a communicant, and such scrutineers shall hold office until their successors are appointed.

2. The scrutineers shall, at as early a date as possible after their appointment, issue voting papers, one for the election of two Clerical Delegates, to be sent to each Clergyman in charge of a Parish or Mission in the Diocese, and one for the election of two Lay Delegates, to be sent to each Parish or Mission in the Diocese regularly constituted by the Bishop, such last mentioned voting paper to be transmitted to the Clergyman in charge of the Parish or Mission.

3. Each Clergyman, who is so qualified to vote, may enter on his voting paper the names of any two Clergymen resident in the Diocese, whose election as Clerical Delegates he desires, and may transmit his voting paper so filled up and after he has signed it, to the scrutineers, at such time as will be sufficient to allow of

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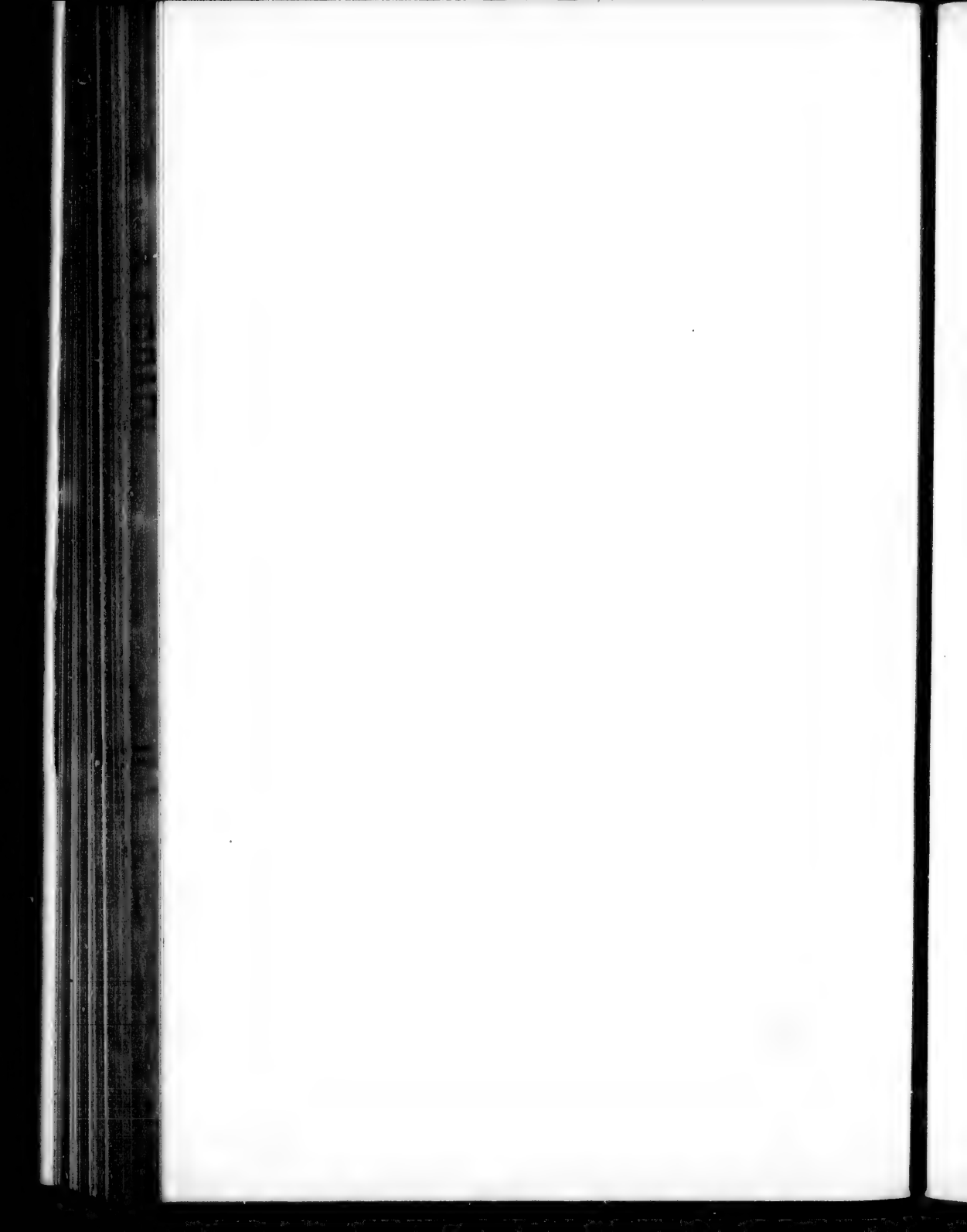
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its receipt by them on or before the first day of September in the year of its issue.

4. Each Clergyman to whom a voting paper or voting papers are transmitted for the Parish or Mission, or Parishes or Missions, of which he is in charge, shall call a meeting of the Lay communicants of each Parish or Mission for which he has received a voting paper at such time as he deems most convenient in each case and best adapted to ensure as large an attendance as possible of those who are entitled to take part in the proceedings, but so, nevertheless, as to admit of the receipt of the voting paper by the scrutineers, as hereinbefore provided in respect of voting papers for Clerical Delegates. In case of the absence of a Clergyman from any cause, the Bishop be empowered to make such arrangements as may be necessary to give effect to this clause.

5. The Clergyman shall preside at the meeting, but shall not have any vote thereat. In the absence of the Clergyman, a Chairman shall be elected by the meeting.

6. The meeting shall proceed to select, by a majority of the votes of those present, and entitled to vote, the names of two Laymen whose election as Delegates they desire, and the Chairman shall fill up the voting paper accordingly. He and at least two of the persons present at the meeting shall then sign the voting paper, which shall forthwith be sent by the Chairman to the scrutineers.

7. Every voting paper shall be sent to the scrutineers in a sealed envelope.

8. As soon as possible after the first day of September in the year of election, the scrutineers shall together examine the voting papers which they have received, and shall prepare a list according to the number of votes cast of the four Clergymen who have received the highest number of votes according to the voting papers for Clerical Delegates, and a similar list of the four Laymen who have received the highest number of votes according to the voting papers received from Parishes or Missions. The two persons whose names are the highest on each list shall be Clerical and Lay Delegates respectively to the Provincial Synod, and the remaining two shall be substitutes to attend, in their order, in the event of inability on the part of any Clerical or Lay Delegate to attend, as the case may be.

9. In the event of an equality of votes, the Clerical Scrutineer as respects Clerical Delegates, and the Lay Scrutineer as respects Lay Delegates, shall have a casting vote.

10. The Bishop of Algoma may, if he thinks fit, be present at the examination of the voting papers.

11. Immediately after the voting papers have been examined by the Scrutineers, they shall draw up and sign a report certifying the names of the Clerical and Lay Delegates and Substitutes elected. Such report shall be by him countersigned by the Bishop of Algoma, and shall be by him transmitted to the Secretary of the Provincial Synod. The Scrutineers shall also transmit to each Delegate and to each Substitute called upon to act, a certificate, under their hands, of his election.

12. The Delegates, and in their absence, the Substitutes who are so certified as elected, shall have the like right to sit and vote at meetings of the Provincial Synod as Clerical and Lay Delegates from Dioceses other than that of Algoma.

13. Each Delegate and Substitute shall remain in office for three years from the date of his election.

14. Any vacancy in the office of a Scrutineer may be filled for the unexpired part of the term in the manner hereinbefore provided for an original appointment.

15. Voting papers may be in the forms hereto subjoined, or in any other form to the like effect :

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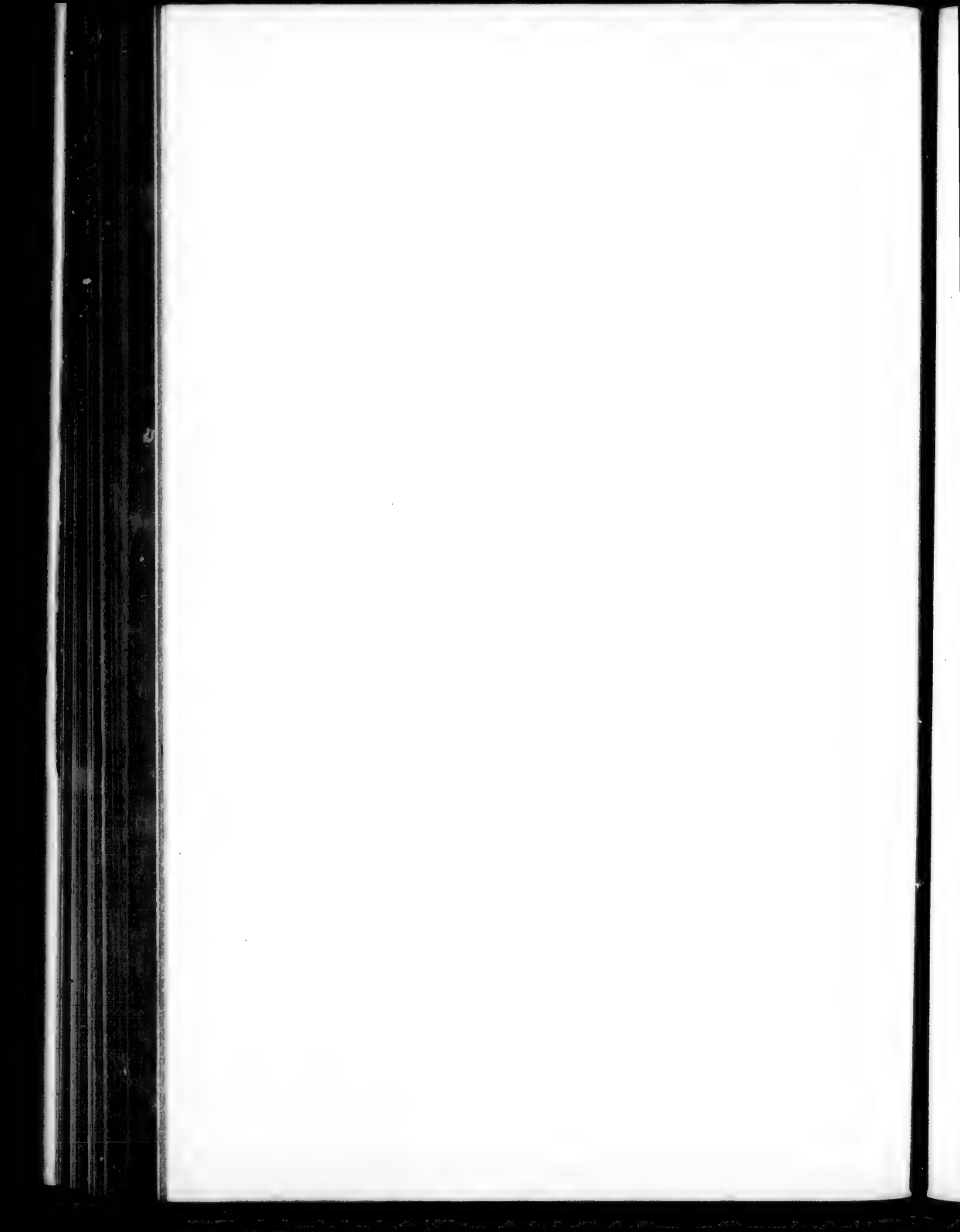
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PART THIRD.

ACTS OF PARLIAMENT.

I.—THE CHURCH TEMPORALITIES' ACT, 1841.

An Act to make provision for the management of the Temporalities of the United Church of England and Ireland, in this Province, and for other purposes therein mentioned.

[3 Vic., ch. 74, passed in 1840; Royal Assent promulgated on the 3rd December, 1841.]

Whereas it is desired, on behalf of the United Church of England and Ireland, in the Province of Upper Canada, that provision should be made by law for the internal management, by the members of the said Church, of the Temporalities thereof, and also for allowing the endowment thereof; and it is just and expedient that such provision should be made: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an act passed in the Parliament of Great Britain, intituled "*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'*" and by the authority of the same, that from and after the passing of this Act, the soil and freehold of all Churches of the Communion of the said United Church of England and Ireland, now erected or hereafter to be erected in the said Province, and of the church-yards and burying-grounds attached or belonging thereto respectively, shall be in the Parson or Incumbent thereof, for the time being, and that the possession thereof shall be in the Incumbent for the time being, and the Churchwardens to be appointed as hereinafter mentioned, by whatever title the same may now be held, whether vested in trustees for the use of the Church, or whether the legal estate remains in the Crown, by reason of no patent having been issued, though set apart for the purpose of such church, church-yard or burying-ground: Provided always, that nothing herein contained shall extend to affect the rights of any other Church, or

body of Christians, to any landed property, or church now erected, but that the same shall remain as if this Act had not been passed.

Pewholders to form a Vestry.

II. And be it further enacted by the authority aforesaid, that all pew-holders in such churches, whether holding the same by purchase or lease, and all persons holding sittings therein, by the same being let to them by churchwardens, and holding a certificate from the churchwardens of such sittings, shall form a vestry for the purposes in this act mentioned and declared.

Ordinary Meetings and Proceedings of Vestry.

III. And be it further enacted by the authority aforesaid, that a meeting of such vestry shall be holden on Monday, in Easter week, in each and every year after due notice thereof given during the Divine Service on the morning of Easter Sunday, for the purpose of appointing churchwardens for the coming year; and that at such meeting one churchwarden shall be nominated by the Incumbent of the parsonage or rectory to which the said church belongs, and the other shall be elected by a majority of those present, and entitled to vote at such vestry meeting as aforesaid: Provided, nevertheless, that in case of such Incumbent declining or neglecting to nominate a churchwarden, then both of the said churchwardens shall, for the current year, be elected in the manner aforesaid; and in case members of such vestry shall neglect to elect a churchwarden, then both such churchwardens shall, for the current year, be nominated by the Incumbent: Provided always, that if from any cause a vestry meeting shall not take place at the time specified, such appointment of churchwardens may take place at any subsequent vestry meeting to be called in manner hereinafter provided; and in case of the death or change of residence to twenty miles or more from any such church, of either of the said churchwardens, a vestry meeting shall be thereupon called, for the election, by the said vestry, of a new churchwarden, in case the one deceased or removed had been elected by the vestry, or for the nomination of a new churchwarden by the Incumbent, in case the one deceased or removed had been nominated by the Incumbent.

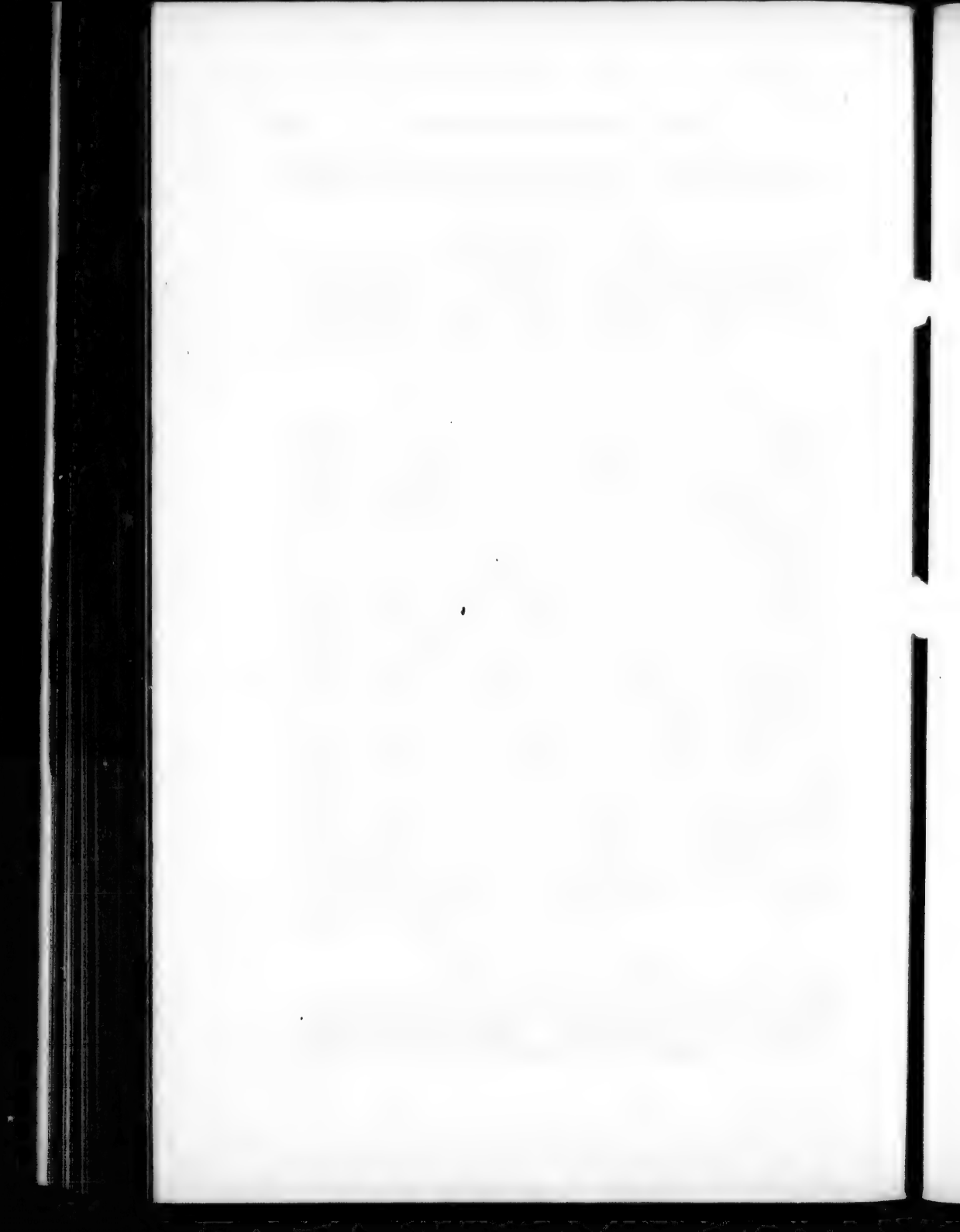
Qualification of Churchwardens

IV. And be it further enacted by the authority aforesaid, that no person shall be eligible to the office of churchwarden, except members of the said church, of the full age of twenty-one years, and who shall also be members of such a vestry.

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Churchwardens' Term of Office.

V. And be it further enacted by the authority aforesaid, that such churchwardens shall hold their office for one year from the time of their appointment, or until the election of their successors, except in case of an appointment or nomination to fill up any vacancy occasioned by death or removal as aforesaid, and in such case the person so appointed or nominated shall hold the said office until the next annual election.

Powers of Churchwardens.

VI. And be it further enacted by the authority aforesaid, that such churchwardens, so to be elected and appointed as aforesaid, shall, during their term of office, be as a corporation to represent the interest of such church, and of the members thereof, and shall and may sue and be sued, answer and be answered unto, in all manner of suits and actions whatsoever, and may prosecute indictments, presentments and other criminal proceedings, for and in respect of such churches and church-yards, and all matters and things appertaining thereto, and shall and may, in conjunction with the Rector or Incumbent, make and execute faculties or conveyances, or other proper assurances in the law, to all pew-holders holding their pews by purchase, or leases to those holding the same by lease, and shall and may grant certificates to those who shall have rented sittings; such conveyances, leases and certificates, to be given within a reasonable time after demand made, and at the charge of the person applying for the same; and further, it shall be the duty of such churchwardens, from time to time, to sell, lease and rent pews and sittings, upon such terms as may be settled and appointed at vestry meetings to be holden for that purpose as hereinafter provided; provided always, that any such sale, lease, or renting, shall be subject to such rent charge or other rent, as may from time to time be rated and assessed in respect thereof, at such vestry meetings.

Purchase of Pews as a Freehold of Inheritance.

VII. And be it further enacted by the authority aforesaid, that in case of the absolute purchase of any pew in any such church as aforesaid, the same shall be construed as a freehold of inheritance not subject to forfeiture by change of residence, or by discontinuing to frequent the same, and the same may be bargained, sold and assigned to any purchaser thereof, being a member of the Church of England; and such purchaser, provided the same be duly assigned and conveyed to him, shall hold the same with the same rights, and subject to the same duties and charges, as the original purchaser thereof.

Rights of Pewholders.

VIII. And be it further enacted by the authority aforesaid, that any pewholder, whether by purchase or lease, and any person renting a pew or sitting, shall and may during their rightful possession of such pew or sitting, have a right of action against any person injuring the same, or disturbing him or his family in the possession thereof.

Accounts of Churchwardens open to Inspection.

IX. And be it further enacted by the authority aforesaid, that such churchwardens, so to be appointed as aforesaid, shall yearly, and every year, within fourteen days after other churchwardens shall be nominated and appointed to succeed them, deliver in to such succeeding churchwardens a just, true, and perfect account in writing (fairly entered in a book or books to be kept for that purpose, and signed by the churchwardens), of all sums of money by them received, and of all sums rated or assessed, or otherwise due and not received, and also of all goods, chattels, and other property of such church or parish in their hands as such churchwardens, and of all moneys paid by such churchwardens so accounting, and of all other things concerning their said office, and shall also pay and deliver over all sums of money, goods, chattels and other things, which shall be in their hands, unto such succeeding churchwardens; which said account shall be verified by oath before one or more of Her Majesty's Justices of the Peace, who are hereby authorized to administer the same; and the said book or books shall be carefully preserved by such churchwardens, and they shall and are hereby required to permit any member of such vestry as aforesaid, to inspect the same at all reasonable times, paying one shilling for such inspection, and in case such churchwardens make default in yielding such account as aforesaid, or in delivering over such money, goods or other things aforesaid, it shall be in the power of the succeeding churchwardens to proceed against them at law for such default, or to file a bill in equity for discovery and relief; and in case of the re-appointment of the same churchwardens, then such accounts as aforesaid shall, in like manner as is aforesaid, be made and rendered before an adjourned meeting of such vestry, fourteen days after such re-appointment.

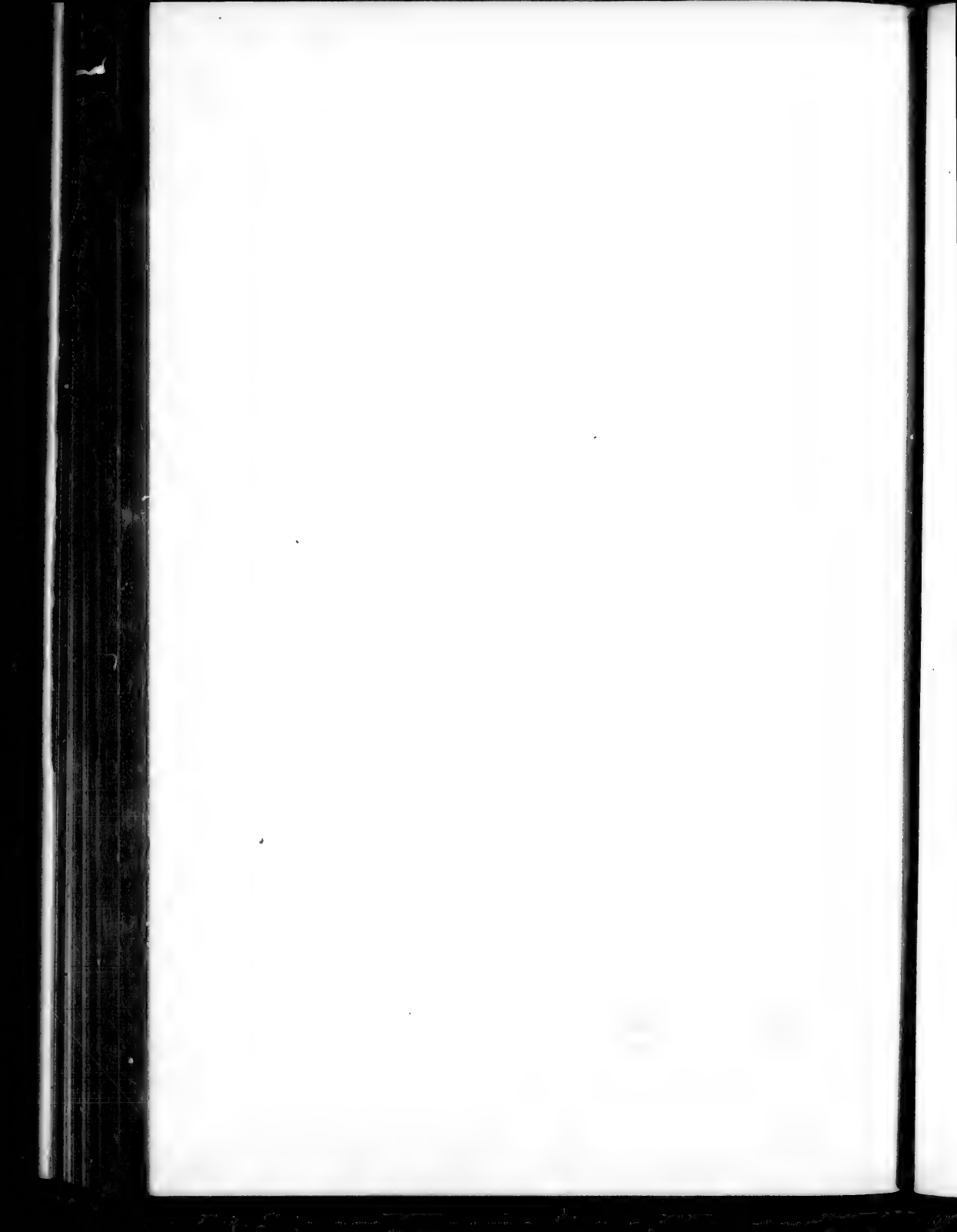
Extraordinary Meetings of Vestry.

X. And be it further enacted by the authority aforesaid, that it shall be in the power of the incumbent of any such parsonage, rectory, or parish as aforesaid, or of the churchwardens thereof, to call a vestry meeting whenever he or they shall think proper

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to do so, and it shall be his and their duty so to do, upon application being made for that purpose in writing by six at least of the members of such vestry as aforesaid; and in case, upon written application being made as aforesaid, such Incumbent and churchwardens shall refuse to call such meeting, then one week after such demand made, it shall be in the power of any six of such members of the vestry to call the same by notice to be affixed on the outer church door (or church doors where more than one), at least one week previous to such intended meeting.

Chairman and Clerk of Vestry Meetings.

XI. And be it further enacted by the authority aforesaid, that in all vestry meetings, the Rector or Incumbent of the Church shall preside as chairman, when present, and in his absence, such person as the majority present at such meeting shall name; and the vestry clerk, when there is one, and present, or in case there be no vestry clerk, or he be absent, then such person as the chairman shall name, shall be secretary of such vestry meeting, and the proceedings of such vestry meeting shall be entered in a book to be kept for that purpose, and preserved in the custody of the churchwardens.

Regulation of Pew Rents.

XII. And be it further enacted by the authority aforesaid, that the rent-charge to be paid upon pews holden in freehold, and the rent to be paid for pews and sittings in pews, leased or rented, shall be regulated from time to time at such vestry meetings as aforesaid, provided, nevertheless, that no alterations shall be made therein, except at vestry meetings, called for such special purpose, and so expressed in the notice calling the same; and further, that the charges to be made in respect of such conveyance, leases and certificates, shall in like manner be regulated at such vestry meetings as aforesaid.

Appointment of Clerk, Organist, Vestry Clerk, Sexton, &c.

XIII. And be it further enacted by the authority aforesaid, that the clerk of the church, the organist, the vestry clerk, the sexton, and other subordinate servants of the church, shall be nominated and appointed by the churchwardens for the time being, and that their salary and wages shall be brought into the general account, to be rendered as aforesaid by such churchwardens.

Fees for Marriages, Baptisms, &c.

XIV. And be it further enacted by the authority aforesaid, that the fees on marriages, baptisms, and other services of the

Church of the like nature, and the charges payable on breaking the ground in the cemeteries or church-yards, and in the said churches, for burying the dead, shall be regulated by the Ordinary, or in case there be no Ordinary, by the Bishop of the Diocese.

By-laws of the Vestry.

XV. And be it further enacted by the authority aforesaid, that it shall be in the power of the members of such vestries, at such vestry meetings as aforesaid, to make such by-laws for the regulation of their proceedings, and the management of the temporalities of the church or parish in which they belong, so as the same may not be repugnant to this Act, nor contrary to the canons of the said United Church of England and Ireland.

Grants of Land for Church Purposes to be valid.

XVI. And be it further enacted by the authority aforesaid, that any deed or conveyance of land, or of personality, that may be made to any Bishop of the said Church, in the said Provinces and to his successors, for the endowment of his See, or for the general uses of the said church, as such Bishop may appoint, or otherwise; or for the use of any particular church then erected, or thereafter to be erected, or the endowment of a parsonage, rectory, or living, or for other uses or purposes appurtenant to such church in general, or to any particular church or parish, to be named in such deed, and any such deed or conveyance, to any Parson, or Rector, or other Incumbent, and his successors, for the endowment of such parsonage, rectory or living, or for other uses and purposes appurtenant thereto, shall be valid and effectual to the uses and purposes in such deed or conveyance to be mentioned and set forth, the Acts of Parliament, commonly called the Statutes of Mortmain, or other acts, laws, or usages, to the contrary thereof notwithstanding; provided always, that in order to the validity of such deeds and conveyances, the same shall be made and executed six months at least before the death of the person conveying the same, and shall be registered not later than six months after his decease.

Church Endowment—Bishop's License.

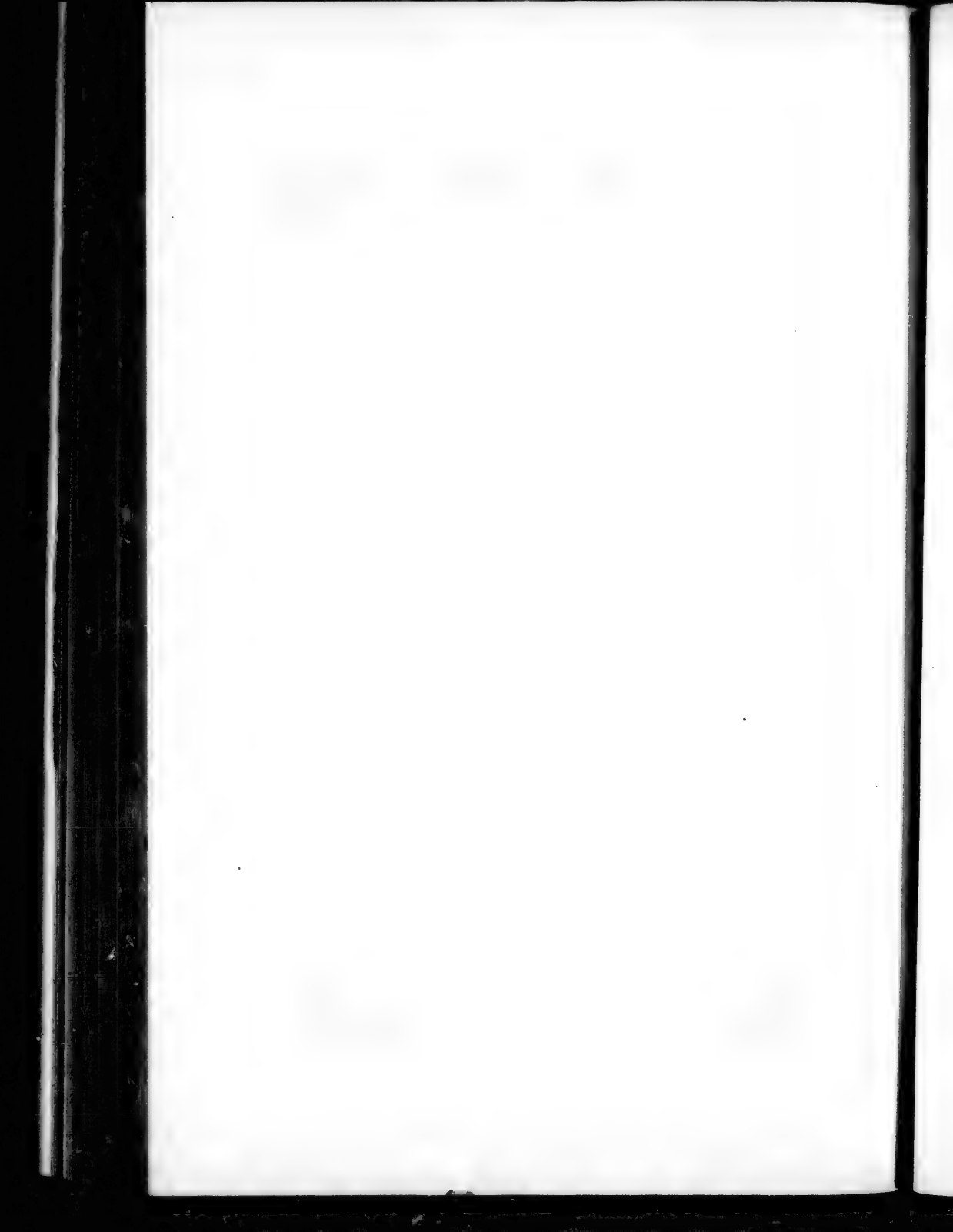
XVII. And be it further enacted by the authority aforesaid, that in the event of any person or persons, bodies politic or corporate, desiring to erect and found a church or churches, and to endow the same with a sufficiency for the maintenance of such church and of Divine Service therein, according to the rites of the said Church of England and Ireland, it shall and may be lawful for him or them to do so, upon procuring the license of

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the Bishop, under his hand and seal, for that purpose ; and thereupon after the erection of a suitable church, and the appropriation by the founder thereof of such church so erected, and of lands and hereditaments, or other property, adequate to the maintenance thereof, and of an Incumbent, and adequate to the usual and ordinary charges attendant upon such church, such provision being made to the satisfaction of the Bishop, such founder, his heir and assigns, being members of the said Church of England, or such body politic or corporate, as the case may be, shall have the right of presentation to such church, as an advowson in fee presentative, according to the rules and canons of the said United Church of England and Ireland.

No Spiritual Jurisdiction conferred by this Act.

XVIII. And be it further enacted by the authority aforesaid, that nothing in this act contained shall extend, or be construed to extend in any manner, to confer any spiritual jurisdiction or ecclesiastical rights whatsoever upon any Bishop or Bishops, or other ecclesiastical person, of the said Church, in the said Province of Upper Canada.—*Page 1087 of Revised Statutes of Upper Canada, Volume 1 (1843).*

II. CHURCH TEMPORALITIES' AMENDMENT ACT,
1866.

An Act to make further provision in relation to the Temporalities of the United Church of England and Ireland, in this Province.

(Act 29-30 Vict., Chap. XV. Assented to 15th August, 1866.)

Whereas it is desirable to provide that the Act passed by the Parliament of Upper Canada in the third year of Her Majesty's reign, chaptered seventy-four, and intituled ; "An Act to make provision for the management of the Temporalities of the United Church of England and Ireland, in this Province, and for other purposes therein mentioned," and also the Act of the Parliament of this Province, passed in the sixth year of her Majesty's reign, chaptered thirty-two, and intituled : "An Act to make provision for the management of the Temporalities of the United Church of England and Ireland, in the Diocese of Quebec, in this Province, and for other purposes therein mentioned," and also the Act of the Parliament of this Province, passed in the session thereof held in the fourteenth and fifteenth years of Her Majesty's reign, chaptered one hundred and seventy-six, and intituled "An Act to make provision for the management of the Temporalities of the

United Church of England and Ireland, in the Diocese of Montreal, and for other purposes therein mentioned," may be altered and amended from time to time, and the Provincial Synod of the United Church of England and Ireland, in Canada, have, by their petition, prayed that power may be given to the said Synod to make such alterations in the said Acts, as may from time to time be found necessary for the better and more uniform regulation and management of the Temporalities of the said Church in this Province, and it is expedient that the prayer of the said petition be granted: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

The Provincial Synod may change or amend Temporalities Act of 1841.

1. The Bishops, Clergy and Laity of the United Church of England and Ireland, in Canada, assembled in Provincial Synod or General Assembly, under the provisions of the Act passed in the session held in the nineteenth and twentieth years of Her Majesty's reign, chapter one hundred and forty-one, section two, shall have power and authority from time to time by any By-law or Canon by them adopted, to make such repeal, change, alteration and amendment of and in all or any of the clauses or provisions in all or any of the said Acts in the Preamble of this Act mentioned, as they shall deem advisable and necessary for the better and more uniform regulation and management of all or any of the temporalities of the said United Church of England and Ireland in this Province, and every such Canon or By-law shall have effect accordingly; provided always, that the proviso to the sixteenth section of the Act firstly, and the proviso to the eighteenth section of the Act thirdly in the Preamble of this Act mentioned, and also the eighteenth sections of the Acts firstly and secondly and the twenty-second section of the Act mentioned, shall not, nor shall either of them be in any manner varied, altered or repealed, by any such Canon or By-law as aforesaid; and provided also that such Canon or By-law shall be approved by the Governor-in-Council, and before such approval, shall be published for three months in the Official Gazette.

2. This Act shall be a Public Act.

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III—DIOCESAN AND PROVINCIAL SYNODS ACT, 1856.

An Act to enable Members of the United Church of England and Ireland, in Canada, to meet in Synod.

[19 & 20 Vic., chap. 141; Passed June, 1856. Assented to May, 1857.]

Whereas doubts exist whether the members of the United Church of England and Ireland, in this Province, have the power of regulating the affairs of their Church, in matters relating to discipline, and necessary to order and good government, and it is just that such doubts should be removed, in order that they may be permitted to exercise the same rights of self-government that are enjoyed by other religious communities; therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

The Bishops, Clergy and Laity may meet in Diocesan Synod.

I. The Bishops, Clergy and Laity, members of the United Church of England and Ireland, in this Province, may meet in their several Dioceses, which are now or may be hereafter constituted in this Province, and in such manner and by such proceedings as they shall adopt, frame constitutions and make regulations for enforcing discipline in the Church, for the appointment, disposition, deprivation, or removal of any person bearing office therein, of whatever order or degree, any rights of the Crown to the contrary notwithstanding, and for the convenient and orderly management of the property, affairs, and interests of the Church in matters relating to, and affecting only the said Church, and the officers and members thereof, and not in any manner interfering with the rights, privileges, or interests of other religious communities, or of any person or persons not being a member or members of the said United Church of England and Ireland; provided always, that such constitutions and regulations shall apply only to the Diocese or Dioceses adopting the same.

The Bishops, Clergy and Laity may meet in Provincial Synod or General Assembly.

II. The Bishops, Clergy and Laity, members of the United Church of England and Ireland, in this Province, may meet in General Assembly within this province by such representatives as shall be determined and declared by them in their several Dioceses; and in such General Assembly frame a Constitution and regulations for the general management and good government of the said Church in this Province; provided always, that nothing in this Act contained shall authorize the imposition of any rate

or tax upon any person or persons whomsoever, whether belonging to the said Church or not, or the infliction of any punishment, fine or penalty upon any person, other than his suspension or removal from any office in the said Church, or exclusion from the meetings or proceedings of the Diocesan or General Synods; and provided also, nothing in the said Constitutions or regulations, or any of them, shall be contrary to any law or statute now or hereafter in force in this Province.

Certificate of Parliamentary Clerk.

I hereby certify the above to be a true copy of the Bill passed by the Legislative Council and Legislative Assembly of Canada, in the Second Session of the Fifth Provincial Parliament, and reserved for the signification of Her Majesty's pleasure thereon by His Excellency the Governor-General, on Thursday the nineteenth day of June, 1856, and subsequently assented to by proclamation in the *Canada Gazette*, bearing date the Twenty-eighth day of May, 1857.

J. F. TAYLOR, *Clerk, Legislative Council.*

IV.—DIOCESAN SYNOD AMENDMENT ACT, 1858.

An Act to explain and amend the Act intituled, "An Act to enable the Members of the United Church of England and Ireland, in Canada, to meet in Synod."

[22 Vic., chap. 139; Assented to 16th August, 1858.]

Whereas doubts exist whether in the Act passed in the nineteenth and twentieth years of Her Majesty's reign, intituled, "An Act to enable the members of the United Church of England and Ireland, in Canada, to meet in Synod," sufficient provision is made for the representation of the Laity of the United Church of England and Ireland in the Synods by the said Act authorized to be held, and it is expedient that such doubts should be removed: therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. For all the purposes of the aforesaid Act, the Laity shall meet by representation; and until it shall be otherwise determined by the Synod in each Diocese, one or more delegates (not exceeding three in any case) may be elected at the annual Easter meetings in each Parish, Mission, or Cure within the Diocese, or in cases where there may be more than one congregation in any Parish, Mission or Cure, then in each such congre-

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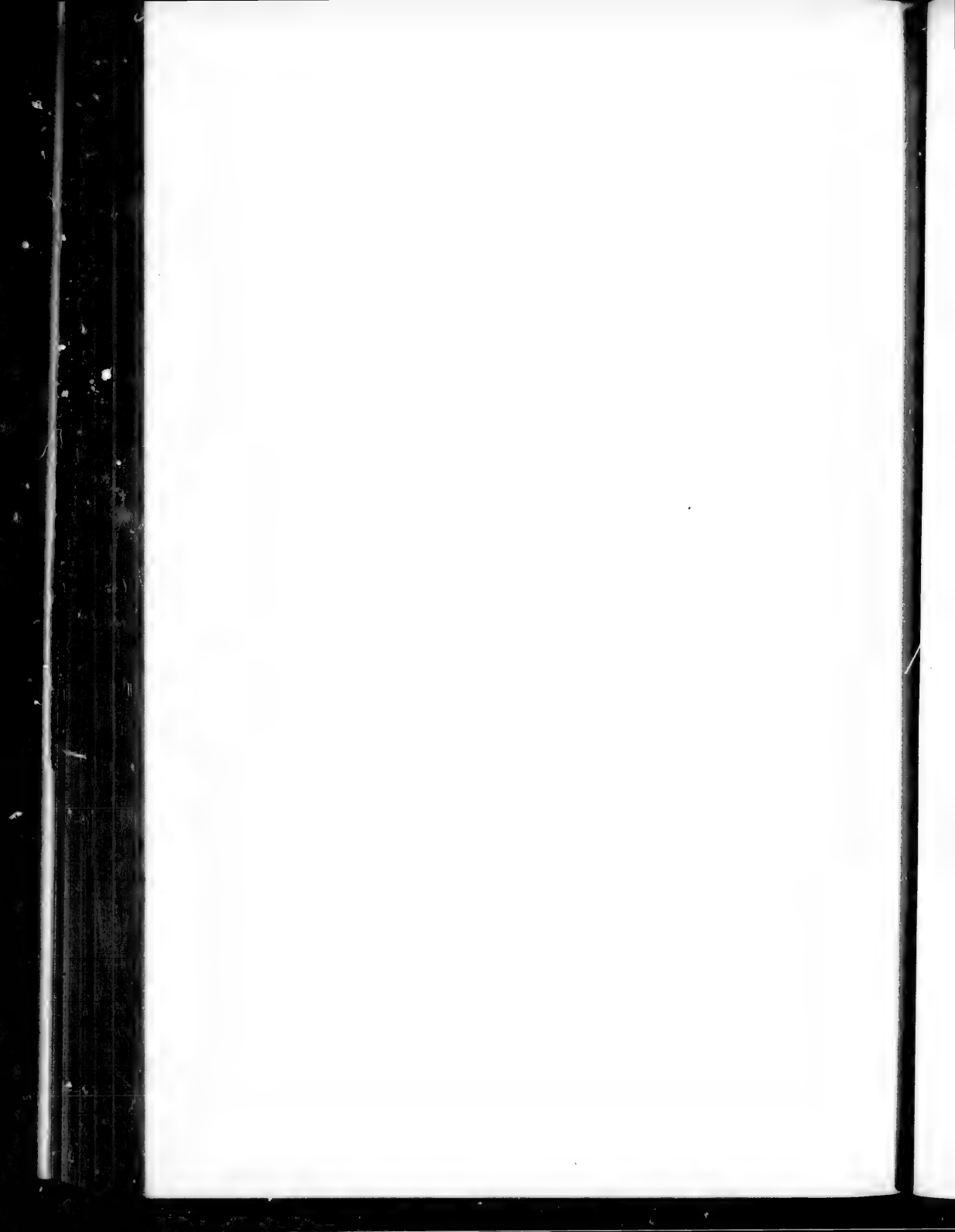
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gation, or at meetings to be specially called for the purpose by each Clergyman having a separate Cure of souls ; and all laymen within such Parish, Mission or Cure, or belonging to such congregation, of the full age of twenty-one years, who shall declare themselves in writing, at such meetings, to be members of the United Church of England and Ireland, and to belong to no other religious denomination, shall have the right of voting at such election. Each delegate shall receive from the chairman of the meeting a certificate of his election, which he shall produce when called upon so to do at the Synod ; and the first meeting of such Synod shall be called by the Bishop of the Diocese, at such time and place as he shall think fit ; provided always, that no business shall be transacted by the Synod of any Diocese unless at least one-fourth of the Clergy of such Diocese shall be present, and at least one-fourth of the congregations within the same be represented by at least one delegate.

Former Acts of Synod Valid.

2. All proceedings heretofore had in any diocese under the aforesaid Act, which have been conformable to this Act, shall be held to be valid, as if the same had taken place after the passing of this Act.—*Page 734 of Statutes of 1858.*

V.—CHURCH SOCIETY INCORPORATION ACT.

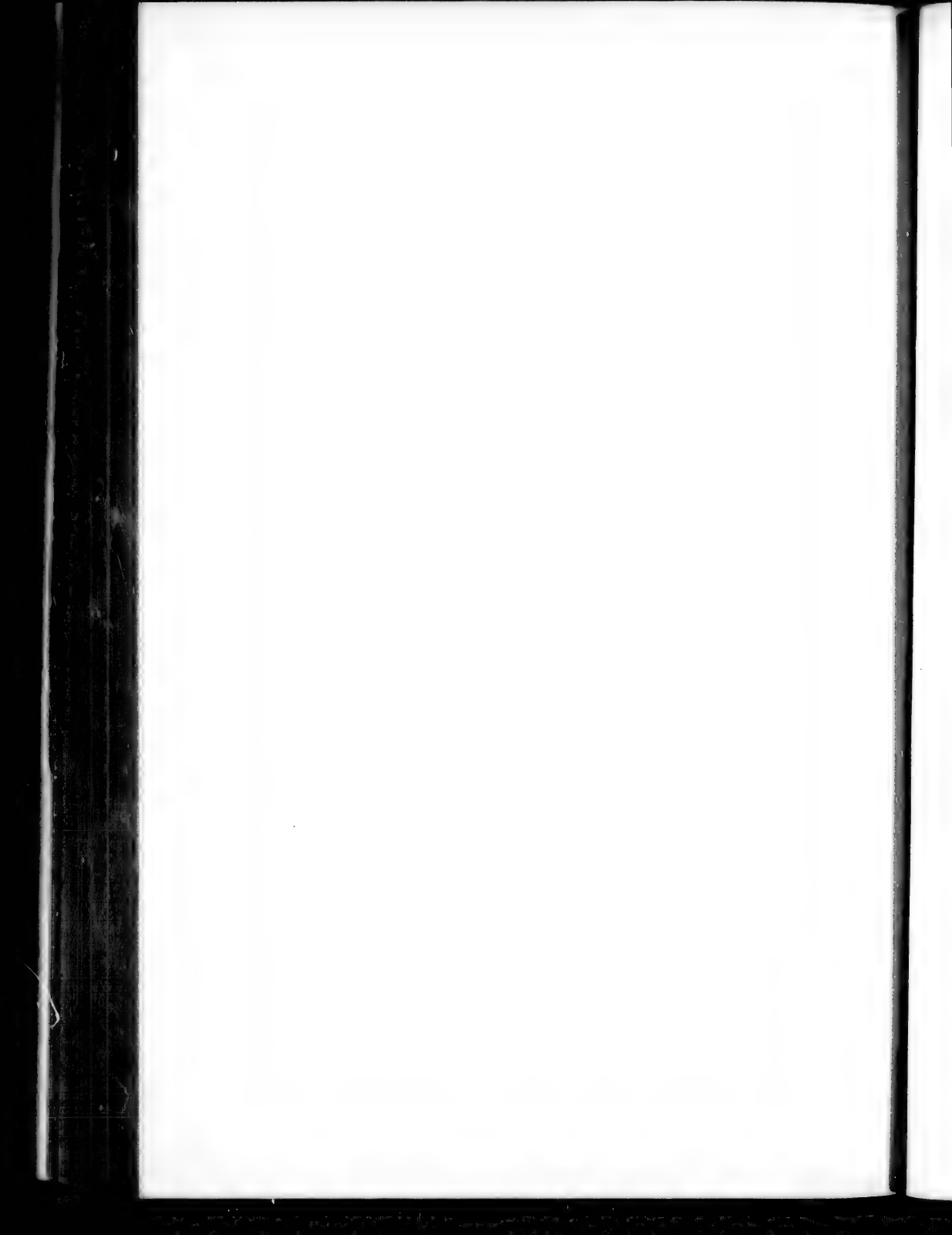
An Act to Incorporate the Church Societies of the United Church of England and Ireland, in the Diocese of Quebec and Toronto.

[7 Vic., ch. 68; passed December, 1843; received Royal Assent June 27, 1844.]

Whereas it has been represented to the Legislature of this Province, that certain persons hereinafter named, and divers others, inhabitants of Lower Canada, and also certain other persons hereinafter named, and divers others, inhabitants of Upper Canada, have respectively established themselves together under a Constitution, Rules and Regulations, and have contributed, or engaged to contribute considerable sums of money, and have given or granted, or promised to give or grant, lands or real estate for the following objects, that is to say :—First, for the encouragement and support of Missionaries and Clergymen of the United Church of England and Ireland, severally within the Dioceses of Quebec and Toronto, and for creating a fund towards the augmentation of the Stipends of poor Clergymen, and towards making a provision for those who may be incapacitated by age or infirmity, and for the widows and orphans of the Clergy of the said Church,

respectively, in the said Dioceses ; Secondly, for the encouragement of education and the support of Day Schools and Sunday Schools in the said Dioceses, respectively, in conformity with the principles of the said Church ; Thirdly, for granting assistance, where it may be necessary, to those who may be preparing for the Ministry of the Gospel in the said Church within the said Dioceses respectively ; Fourthly, for circulating in the said Dioceses, respectively, the Holy Scriptures, the Book of Common Prayer of the said Church, and such other Books and Tracts as shall be approved by the several Central Boards or Managing Committees of the said Associations ; Fifthly, for obtaining and granting aid towards the erection, endowment and maintenance of Churches according to the establishment of the said Church in the said Dioceses, respectively, the creation and maintenance of Parsonage Houses, the setting apart of Burial Grounds and Church Yards, the endowment and support of Parsonages and Rectories according to the said establishment, and the management of all matters relating to such endowments ; And whereas it would tend greatly to facilitate and promote the purposes of the said Associations that they should severally be incorporated and empowered to hold property in mortmain without letters of license and to manage, administer, alienate or dispose of the same, for the uses and purposes aforesaid, and to make and enforce rules and regulations, respectively, for the government of the said Associations, severally, and for better attaining the purposes aforesaid : Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that the Lord Bishop of the said Diocese of Quebec, the Lord Bishop of Montreal, or the Bishop administering the said Diocese for the time being, and William Smith, Andrew W. Cochran, Henry Jessop, Henry J. Noad, John Racey, James H. Kerr, David Burnet, W. H. Leaycraft, John M. Fraser, the Reverend C. L. F. Haensel, George Hall, James Bolton, the Reverend George Mackie, the Reverend Edward Cusack, Robert Symes, the Reverend Edmund W. Sewell, William Price, Noah Freer, Edward Bowen, John G. Irvine, Hammond Gowen, Sir James Stuart, Baronet, Matthew Bell, William Phillips, Henry LeMesurier, Junior, Edward L. Montizambert, Thomas Trigge, Peter Patterson, George B. Hall, James Turnbull, William Stevenson, James B. Forsyth, Alexander D.

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Bell, James Dyke, William Bowes, R. M. Harrison, H. S. Dalkin, Edward Boxer, Archibald Campbell, Charles Secretan, James McKenzie, E. P. Woolrich, George H. Parke, Samuel McCauley, James J. Loundes, G. Newton, Charles Secretan, Thomas Daikers, H. W. Welch, and such other persons as are now members of the said Association of the Diocese of Quebec, according to the existing Constitution, Rules and Regulations thereof, and their successors, to be elected in the manner hereinafter provided, and such other persons as shall from time to time hereafter be elected to be members of the said Association in the manner hereinafter provided, shall be and are hereby declared a Body Corporate and Politic, in name and in deed, by the name of "The Church Society of the Diocese of Quebec," and that the Lord Bishop of Toronto, the Venerable George Okill Stuart, Robert Simpson Jameson, Levius Peter Sherwood, James B. Macaulay, Jonas Jones, Christopher Alexander Hagerman, Peter Boyle De Blaquiere, William Henry Draper, John Simcoe Macauley, James Gordon, John Boulton, John Solomon Cartwright D'Arcy Boulton, Mahlon Burwell, John B. Askin, Thomas Mercer Jones, Frederick Widder, William B. Jarvis, Henry Ruttan, Joseph Wells, Walter Boswell, Zaccheus Burnham, T. A. Stewart, William Dixon, James Kerby, William Allan, George Crookshank, R. C. Wilkins, Philip Vankoughnet, Gerrard Lloyd, John Macauley, Sir Allan Napier Macnab, Guy C. Wood, George Salmon, Henry Sherwood, and such other persons as are now members of the said Association of the Diocese of Toronto, according to the existing Constitution, Rules and Regulations thereof, and their successors, to be elected in the manner hereinafter provided, and such other persons as shall from time to time hereafter be elected to be members of the said Association in the manner hereinafter provided, shall be and are hereby declared to be a Body Corporate and Politic in name and in deed, by the name of "The Church Society of the Diocese of Toronto," and that by the same names the said Associations shall have each perpetual succession and a Common Seal, with power to change, alter, break, or make new the same, so often as they shall judge expedient, and that they and their successors by the same names, respectively, may sue or be sued, implead and be impleaded, answer and be answered unto, in any Court of Record, or other place of Judicature within this Province; and that they, and their successors, by the names aforesaid, shall be able and capable in law, respectively, to purchase, take, have, hold, receive, enjoy, possess and retain, without license, in mortmain, or *Lettres d'Amortissement*, all messuages, lands, tenements, and immovable property, money, goods, chattels, and movable property, which have been or hereafter shall be paid,

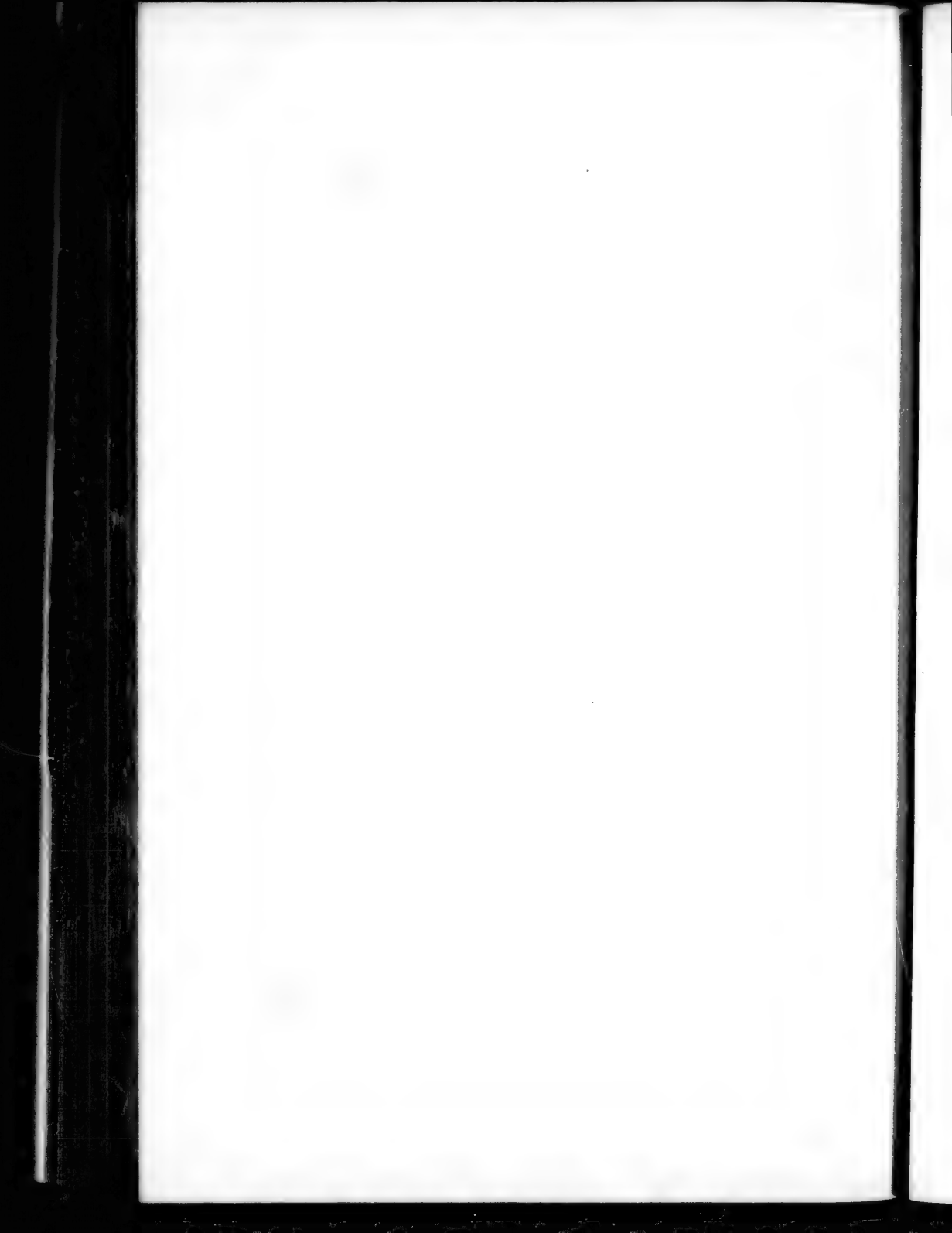
given, granted, purchased, appropriated, devised or bequeathed in any manner or way whatsoever, to, for, and in favour of the said Church Societies, respectively, to and for the uses and purposes aforesaid or any of them, and to do, perform and execute all and every lawful act and thing useful and necessary for the purposes aforesaid, in as full and ample a manner, to all intents, constructions and purposes, as any other Body Politic or Corporate by law may or ought to do.

Lands, Moneys, &c., vested in the Corporations.

II. And be it enacted, that all lands, messuages, tenements, hereditaments, or immovable property, and all rents, sum and sums of money, charged upon and issuing or payable out of any lands, messuages, tenements, hereditaments, or immovable property, as aforesaid, and all sums of money, goods, chattels, effects or movable property, which have been or shall hereafter be paid, given, granted, purchased, appropriated, devised, or bequeathed in any manner or way whatsoever, to, for, or in favor of the said Corporations, respectively, to and for the uses and purposes aforesaid, shall be, and the same are hereby vested in the said Corporations, respectively, to and for the uses and purposes aforesaid, in such manner and form, and subject to such by-laws, rules and regulations, as may be made and passed by the said Corporations, respectively, concerning the same, in the manner hereinafter provided : And that the said Corporations or the Central Boards thereof, or such other Executive and Managing Committees thereof as shall from time to time be appointed and authorized for this purpose by the by-laws, rules and regulations, which may be made and passed in the manner hereinafter mentioned, for the government of the said Corporations, shall, respectively, have power and authority to alienate or exchange ; and to demise, let and lease for any terms of years, such messuages, lands, tenements, hereditaments, and immovable property as shall be so as aforesaid given, granted, purchased, appropriated, devised, or bequeathed to the said Corporations, respectively, for all or any of the purposes aforesaid, and to have, receive, and take the purchase money, consideration or price, rents, issues or profits thereof ; Provided always, that the said Corporations or Central Boards thereof, or such other Executive or Managing Committees, as aforesaid, shall, respectively, have, receive, take and hold such purchase money, consideration or price, rents, issues or profits, for the uses and purposes hereinbefore mentioned and set forth, or some or one of them, and for none other.

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Corporations may make By-laws and transact business.

III. And be it enacted, that the said Corporations, and their successors, shall and may respectively, from time to time, hold assemblies and meetings of the said Corporations, which shall be called together in such manner and at such times and places as shall be directed and appointed by the by-laws, rules and regulations of the same, to transact the business of the said Corporations, and shall and may at any such meeting elect such persons to be members of the said Corporations, respectively, as they or the major part of them then present shall think fit: Provided always, that no act done in any such assembly or meeting of the said Corporations shall be valid or effectual, unless six persons of such Corporations, at the least, shall be present, and the major part of them consenting thereto.

Quorum of Corporations.

IV. And be it enacted, that the said Corporations, or the major part of those who shall be present at any of the meetings of the said Corporations to be held in manner aforesaid, shall and may, respectively, make and ordain any constitution, by-laws, rules and regulations, whatsoever, which to them or the major part of them then present, not being fewer in number than six as aforesaid, shall seem meet, reasonable or requisite, touching and concerning the well ordering and governing of the affairs and business of the said Corporations and the due administering and improving of the property thereof, and the more effectually promoting the purposes thereof, as aforesaid, and such constitution, by-laws, rules and regulations, in like manner from time to time to abrogate, repeal, change or alter as may be found expedient, which constitution, by-laws, rules and regulations, shall be binding upon and shall be observed, performed and kept by the members of the said Corporations respectively; Provided always that the same shall not be repugnant or contrary to the aforesaid purposes of such Corporations, or to the laws in force in this Province.

Written consent of the Bishop necessary.

V. Provided always nevertheless, and be it enacted, that no such constitution, by-law, rule or regulation of either of the said Church Societies of the Diocese of Quebec and Toronto, nor any abrogation, repeal, change or alteration of the same, shall be of any force or effect until it shall have been sanctioned and confirmed by the Bishop of or administering such Diocese for the time being, under his hand.

Her Majesty's rights saved.

VI. And be it enacted, that nothing herein contained shall affect or be construed to affect in any manner or way the rights of Her Majesty, Her Heirs or Successors, or of any person or persons, or of any Body Politic or Corporate, such only excepted as are hereinbefore mentioned and provided for.

To be a Public Act.

VII. And be it enacted, that this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace, and other persons whatsoever, without being specially pleaded.

VI. CHURCH SOCIETY AMENDMENT ACT, 1865.

An Act to amend the Act of Incorporation of the Church Society of the Diocese of Toronto.

(28 Vic., ch. 54; assented to 18th March, 1865.)

Whereas the Church Society of the Diocese of Toronto and the Bishop of the said Diocese have prayed for certain amendments to the Act of Incorporation of the said Church Society passed in the seventh year of Her Majesty's reign, chaptered sixty-eight, and that the same rights, powers, authorities and privileges that have been conferred upon the Church Society of the Diocese of Huron, and the Incorporated Synod of the Diocese of Ontario, may be conferred upon the Church Society of the Diocese of Toronto; and whereas it would greatly facilitate and promote the purposes for which the said Church Society of the Diocese of Toronto was incorporated if the said Act of Incorporation was so amended: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Powers of Church Society of Diocese of Huron, and of the Synod of the Diocese of Ontario, conferred on Church Society of Diocese of Toronto.

1. The Church Society of the Diocese of Toronto shall have, and there is hereby conferred upon the said Church Society, all the rights, powers, authorities and privileges that have been conferred upon or acquired by the Church Society of the Diocese of Huron, and the incorporated Synod of the Diocese of Ontario, by the several Acts of Incorporation of the said last mentioned

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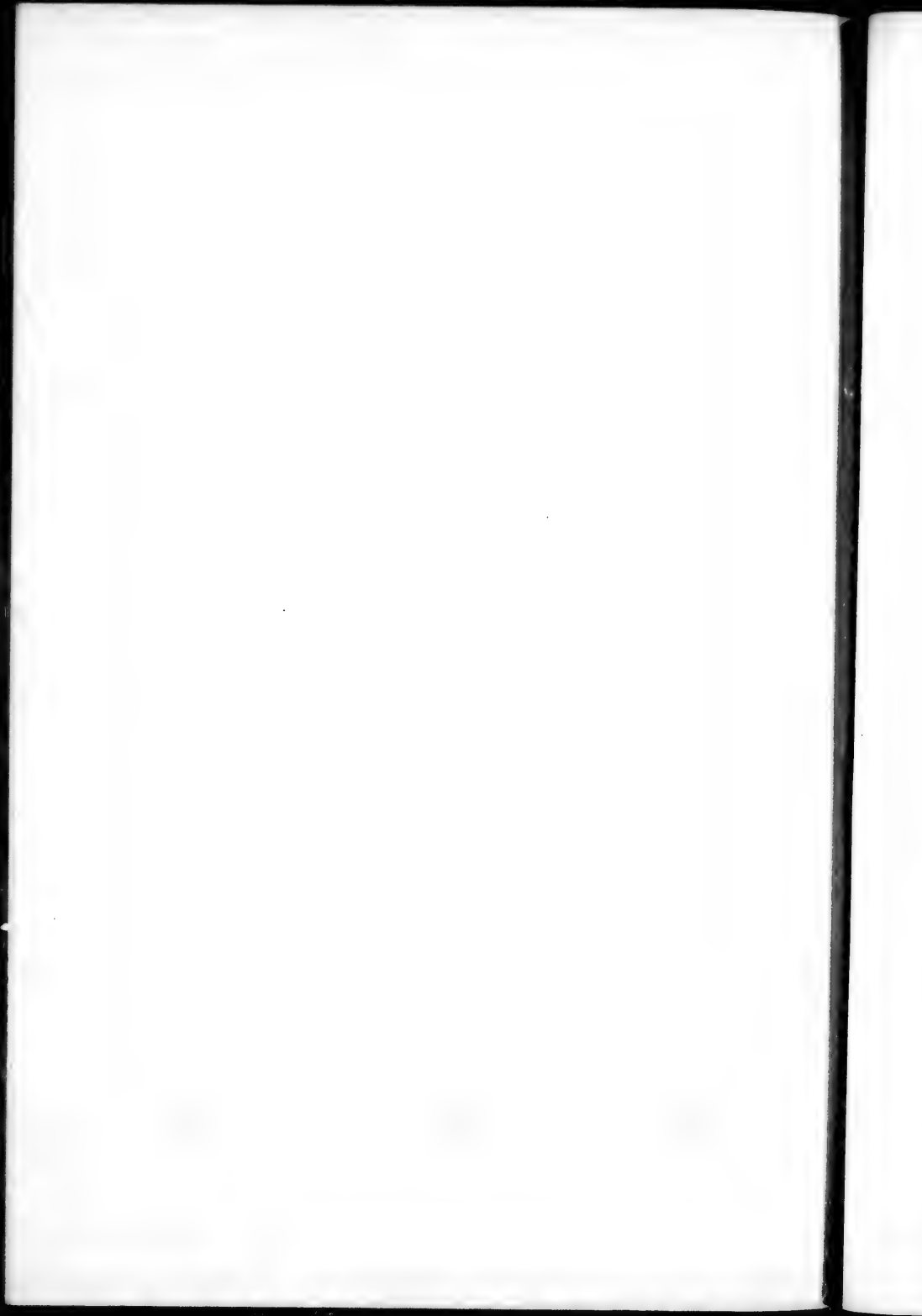
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Church Society and Incorporated Synod ; and all the clauses and provisions contained in the said Acts respectively intituled : *An Act to incorporate the Church Society of the Diocese of Huron*, and for other purposes therewith connected, passed in the twenty-second year of Her Majesty's Reign, and *An Act incorporating the Synod of the Diocese of Ontario*, passed in the twenty-fifth year of Her Majesty's Reign, shall be read, taken and applied, as far as the same may be applicable, to the Church Society of the Diocese of Toronto and the Bishop of the said Diocese of Toronto, as if the same had been specially enacted for the said Church Society of the Diocese of Toronto, and whenever in the said Acts the words "Church Society of the Diocese of Huron," or "Incorporated Synod," or "Bishop of the Diocese of Ontario," or "Bishop of the Diocese of Huron" occur, the same shall be read in reference to the Church Society of the Diocese of Toronto, as if the words "Church Society," or "Incorporated Synod" and "Bishop," were "Church Society of the Diocese of Toronto, and "Bishop of the Diocese of Toronto."

2. This Act shall be a Public Act.

(Page 136 of the Statutes of 1865.)

VII. AN ACT RESPECTING RECTORIES.

(14-15 Vic. cap. 175, 1851, Con. Stat. of C., c. 74.)

Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Whereas the recognition of legal equality among all Religious Denominations is an admitted principle of Colonial Legislation ; And Whereas in the state and condition of this Province, to which such a principle is peculiarly applicable, it is desirable that the same should receive the sanction of direct Legislative Authority, recognizing and declaring the same as a fundamental principle of our civil policy—Therefore,

The free exercise of Religious Profession, etc., guaranteed.

1. The free exercise and enjoyment of Religious Profession and Worship, without discrimination or preference, so as the same be not made an excuse for acts of licentiousness, or a justification of practices inconsistent with the peace and safety of the Province, is by the constitution and laws of this Province allowed to all Her Majesty's subjects within the same.

No Rectories to be hereafter created.

2. No letters-patent shall be hereafter issued in this Province by the Crown for the erection of any Parsonages or Rectories, according to the establishment of the Church of England, or for the endowment thereof, out of the Clergy Reserves or the Public Domain, or for the presentation of any Incumbent or Minister to any such Parsonage or Rectory.

Existing Rectories not to be affected by this Act.

3. Nothing herein contained shall in any wise affect any proceedings heretofore had, whereby certain Parsonages or Rectories were erected and endowed, or supposed to be erected and endowed by the authority of an Act of the Imperial Parliament passed in the thirty-first year of the Reign of King George the Third, Chapter thirty-one, intituled, *An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'* or whereby certain Incumbents or Ministers were presented, under the same authority, to such Parsonages or Rectories, or any of them, but the legality or illegality of all such proceedings shall be adjudicated upon and determined as if this Act had not been passed.

Presentation to such Rectories provided for.

4. The right of presenting an Incumbent or Minister to any such Parsonage or Rectory shall vest in, and be exercised by the Church Society of the Church of England Diocese within which the same is situated, or in such other person or persons, bodies politic or corporate, as such Church Society, by any By-law or By-laws to be by them from time to time passed for that purpose, may think fit to direct or appoint in that behalf.

RECTORY LAND SALES ACT, 1866.

An Act to provide for the sale of Rectory Lands in this Province.

[29-30 Vic., ch. 16; Assented to 15th August, 1866.]

Whereas the Provincial Synod of the United Church of England and Ireland in Canada, have by their petition prayed for the passing of an Act to give permission to the Incorporated Synods

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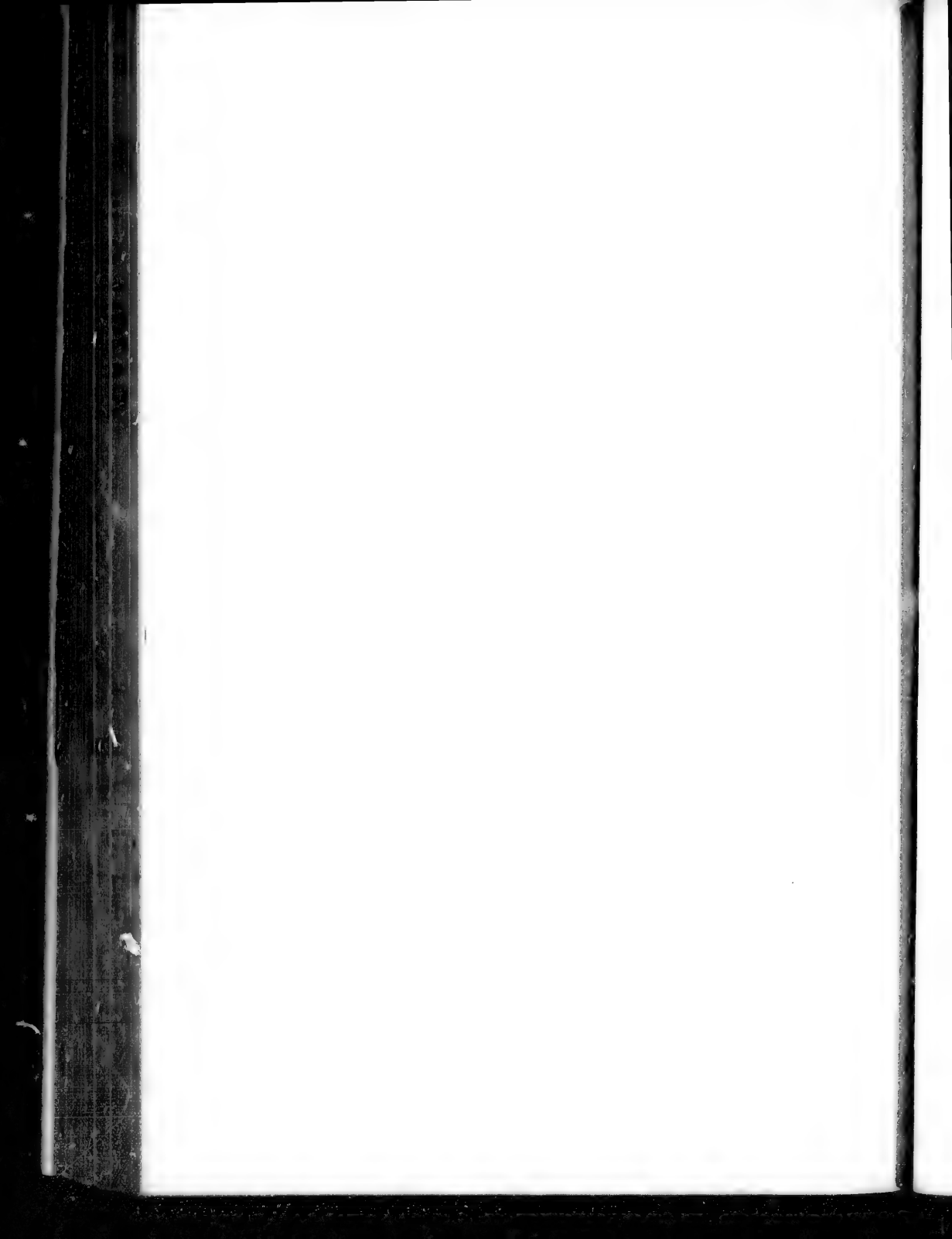
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and Church Societies of the different Dioceses of the said Church in this Province, to sell the Rectory lands held in such Dioceses by grant from the Crown; and whereas it is desirable to grant the prayer of such petition: Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

*By what authority Glebe or Rectory Lands may be sold—
Proviso, as to interest of the then Incumbent.*

1. The incorporated Synod of any Diocese of the United Church of England and Ireland, in Canada, or the Church Society of any Diocese, with the consent of the Synod of such Diocese, where such Synod is not incorporated, shall have full power and authority to sell and absolutely dispose of any lands granted by the Crown in such Diocese, as a glebe of, or as appurtenant or belonging to, or appropriated for, any Rectory of the said Church in such Diocese, by whatever name the same may be called, or in whomsoever the title thereto may be vested; and any deed executed by such incorporated Synod, or by such Church Society, shall vest in the purchaser a full, clear and absolute title to the said lands, subject only to any leases thereof or rights granted therein by competent authority prior to such sale, and also to any mortgage that may be executed thereof, to secure all or any of the purchase money thereof; provided always, that such sale shall not affect the estate or interest of the incumbent of such Rectory at the time of such sale, unless the consent in writing of such Incumbent to such sale be first given, and that without such consent the title vested in the purchasers by virtue of such deed, shall be subject to the estate and interest of the then Incumbent, in the lands so sold.

Investment of Proceeds of Sale.

2. The proceeds of such sales, as the same may be from time to time paid, or as the same may come in from any investment, shall be invested in Government securities or county municipal debentures, and the interest arising from the said proceeds shall be paid to the Incumbent of the Rectory to which such lands belonged at the time of such sale, during the term of his incumbency.

Application of such Proceeds.

3. The proceeds of such sale shall be held by such incorporated Synod or Church Society in trust, first to pay all expenses attending the management thereof; secondly, to pay the interest of the moneys arising from such sale to the Incumbent of the

Rectory to which such lands belonged at the time of such sale, during the term of his incumbency, if he has consented to such sale as aforesaid; and thirdly, after the death, retirement, or removal of such Incumbent, to pay such interest, if the amount be sufficient therefor, to the Incumbent of such Rectory for the time being, as follows: in cities, to the extent of seven hundred and fifty pounds a year; in towns, to the extent of five hundred pounds a year; and in townships to the extent of four hundred pounds a year; and any excess of interest beyond such annual payments shall be apportioned to and divided among the Incumbents of the other churches of the said Church in the City, Town or Township, in which said lands are situate, or to which such Rectory belonged, in such proportion as such incorporated Synod, or Church Society, with the consent of such Synod, where not incorporated, shall by resolution, by-law or canon, from time to time order and direct.

Right of presentation not affected.

4. Nothing in this Act contained shall affect the right of presentation to any Rectory, but such right of presentation shall continue to be exercised as it was before this Act was passed.

Sales to be within ten years.

5. The right to exercise the power of sale granted by this Act, must be exercised within ten years from the passing thereof.

To what Rectories the Act shall apply.

6. This Act shall apply only to those rectories and rectorial lands which come within the provisions of the Act passed in the session held in the fourteenth and fifteenth years of Her Majesty's reign, chaptered one hundred and seventy-five.

Public Act.

7. This Act shall be deemed a Public Act.

IX.—RECTORY LAND SALES AMENDMENT ACT, 1866.

An Act to amend the Act of the present session, intituled: An Act to provide for the sale of the Rectory Lands in this Province.

[29-30 Vic., ch. 17; assented to 15th August, 1866.]

Whereas it is expedient to amend the Act of the present Session hereinafter mentioned: Therefore, Her Majesty, by and

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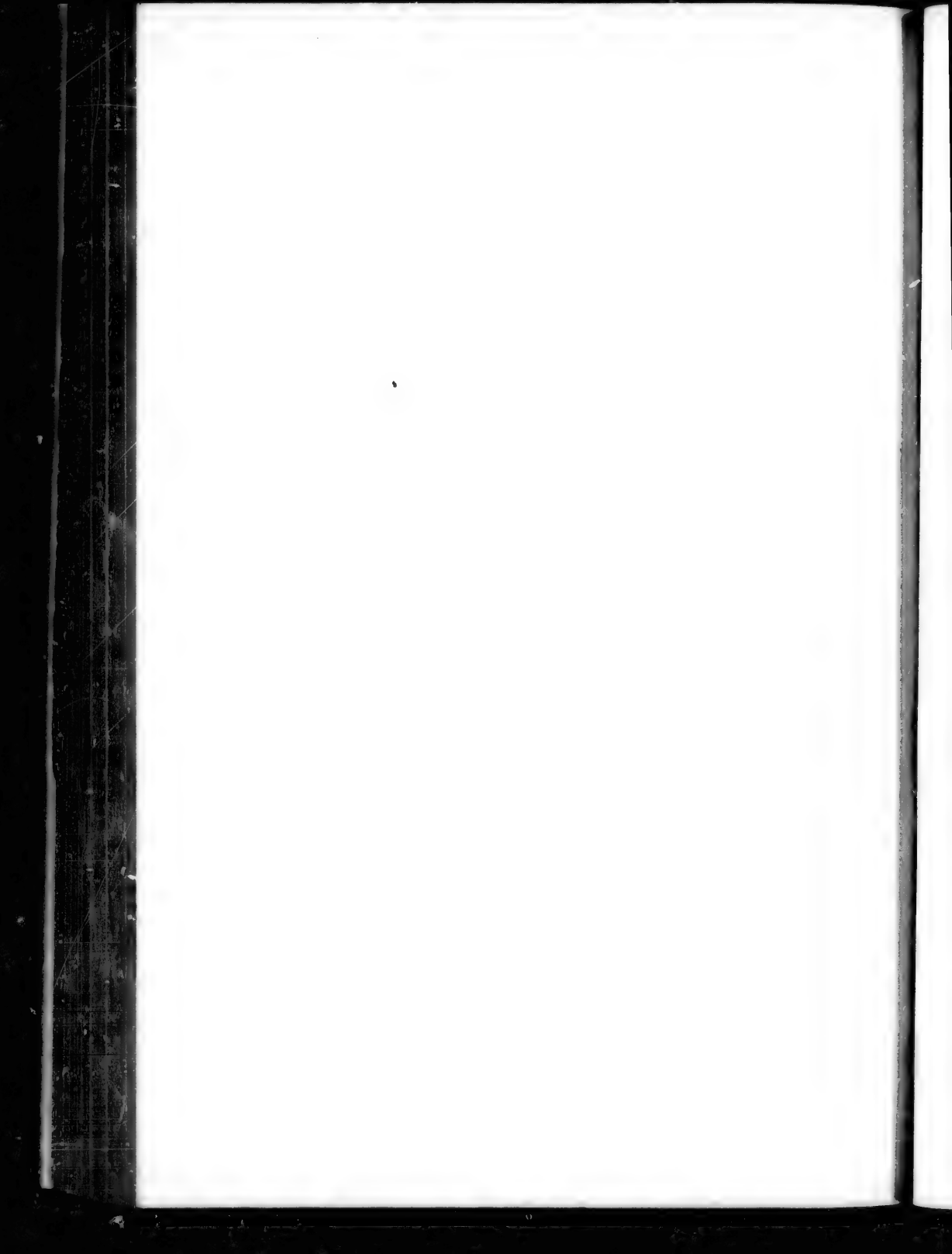
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with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Section 6 of Chapter 16 repealed.

1. The sixth section of the Act passed in the present session of the Parliament of this Province, intituled : *An Act to provide for the Sale of the Rectory Lands in this Province*, is hereby repealed, and the following section shall be and is hereby substituted in lieu of the said section hereby repealed, and shall be taken and read as the sixth section of the said Act.

New Section substituted.

"6. This Act shall not apply to any lands granted by the Crown, as sites for Churches, Parsonages, or Burial Grounds, or now occupied as such."

X.—RECTORY LAND SALES AMENDMENT ACT,
1876.

An Act to amend the Act entitled "An Act to provide for the Sale of the Rectory Lands in this Province."

[39 Vic., cap. 108 (Ont.); assented to 10th February, 1876.]

Whereas the time limited for the sale of the rectory lands under an Act of Parliament of the late Province of Canada, passed in the session held in the twenty-ninth and thirtieth years of the reign of Her Majesty Queen Victoria, and chaptered sixteen, will expire on the fifteenth day of August next, and it is expedient to extend the same ;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Right to exercise power of sale.

1. The right to exercise the power of sale granted by the said Act may be exercised at any time within ten years from the fifteenth day of August next.

XI. RELIGIOUS INSTITUTIONS ACT, 1877.

An Act respecting the Property of Religious Institutions.

[Rev. Stat. Ontario, cap. 216.]

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Where religious societies desire to take conveyances for site of a church, etc., conveyance may be made to trustees—Powers of Trustees.

1. Where any religious society or congregation of Christians in Ontario desires to take a conveyance of land for the site of a church, chapel, meeting-house, burial-ground, residence for a minister, book-store, printing or publishing office, or for any other religious or congregational purpose whatever, such society or congregation may appoint trustees, to whom and their successors, to be appointed in such manner as may be specified in the deed of conveyance, the land requisite for all or any of the purposes aforesaid may be conveyed; and such trustees and their successors in perpetual succession, by the name expressed in the deed, may take, hold and possess the land, and maintain and defend actions in Law or Equity for the protection thereof, and of their property therein. 36 V. c. 135, s. 1.

Mortgages allowed in certain cases.

2. Where a debt has heretofore been or is hereafter contracted for the building, repairing, extending or improving of a church, meeting-house, chapel, book-store, printing office, or other building, on land held by trustees for the benefit of any religious society in Ontario, or for the purchase of the land on which the same has been or is intended to be erected, the trustees or a majority of them, may from time to time secure the debt or any part thereof by a mortgage upon the land, church, meeting-house, chapel, book-store, printing office or other building; or may borrow money to pay the debt or part thereof, and may secure the repayment of the loan and interest by a like mortgage upon such terms as may be agreed upon. 36 V. c. 135, s. 2.

Powers to lease.

3. The grantees in trust named in any letters-patent from the Crown, or the survivors or survivor of them, or the trustees for the time being appointed in manner prescribed in the letters-patent, whereby lands are granted for the use of a congregation or religious body, and any other trustees for the time being entitled

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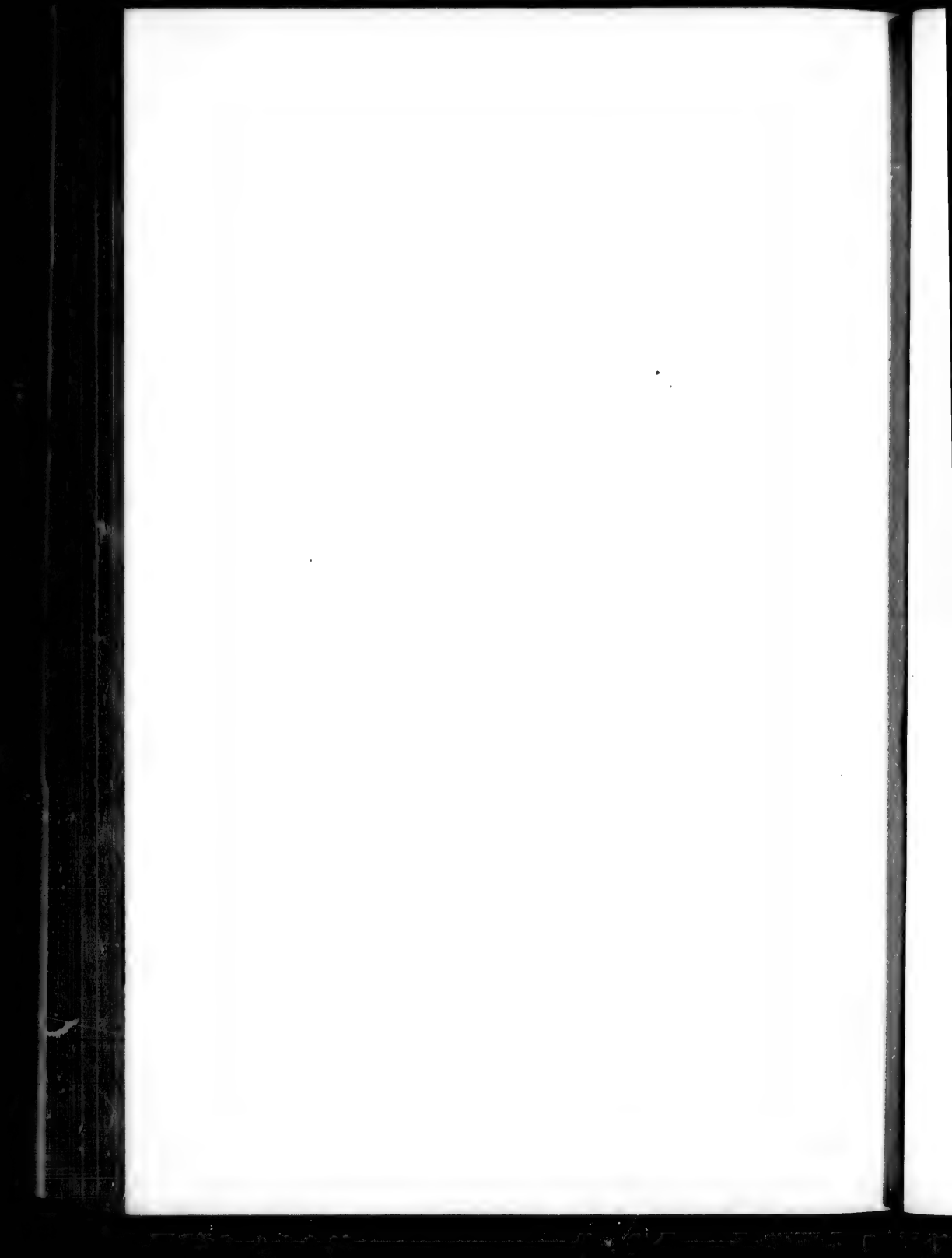
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by law to hold lands in trust for the use of a congregation or religious body, may lease, for any term not exceeding twenty-one years, lands so held by them for the use of a congregation or religious body, at such rents and upon such terms as the trustees or a majority of them deem reasonable. 36 V. c. 135, s. 3.

Powers to agree in leases to renew and pay for improvements by lessee.

4. In such lease they may covenant or agree for the renewal thereof at the expiration of any or every term of twenty-one years for a further term of twenty-one years or a less period, at such rent and on such terms as may then be agreed upon by the trustees for the time being agreed upon by the lessee, his heirs, executors, administrators or assigns, or may consent or agree for the payment to the lessee, his executors, administrators or assigns, of the value of any buildings or other improvements which may at the expiration of any term be on the demised premises; and the mode of ascertaining the amount of such rents or the value of such improvements may also be specified in the original lease. 36 V. c. 135, s. 4.

Consent of cestuis que trustent requisite before leasing—consent, how signified.

5. But the trustees shall not so lease without the consent of the congregation or religious body for whose use they hold the land in trust, and such consent shall be signified by the votes of a majority of the members present at a meeting of the congregation or body, duly called for the purpose; nor shall the trustees lease any land which, at the time of making the lease, is necessary for the purpose of erecting a church or place of worship or other building thereon, or for a burial ground for the congregation for whose use the land is held. 36 V. c. 135, s. 5.

Remedies to trustees for rent in arrear.

6. The trustees for the time being entitled by law to hold land in trust for a congregation or religious body, may, in their own names, or by any name by which they hold the land, sue or distrain for rent in arrear, and may take all such means for the recovery thereof as landlords in other cases are entitled to take. 36 V. c. 135, s. 6.

Sales, when and how trustees may make—Special powers not affected.

7. Where land held by trustees for the use of a congregation or religious body becomes unnecessary to be retained for such

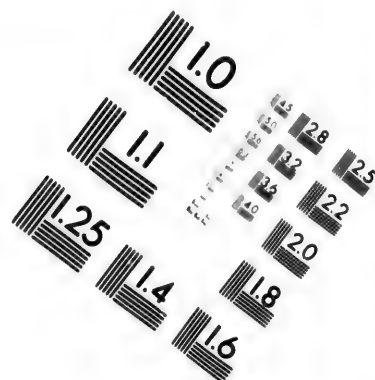
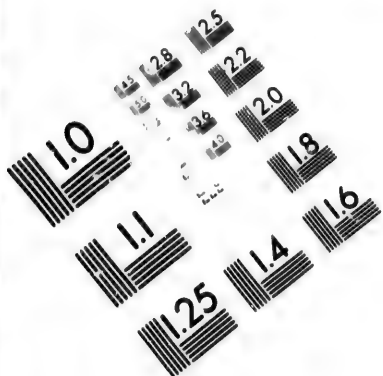
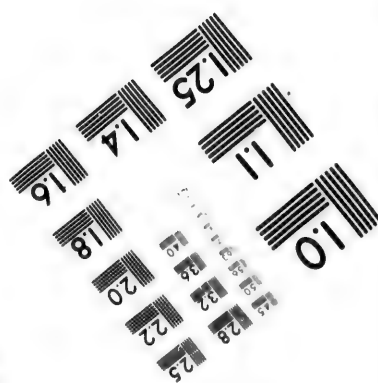
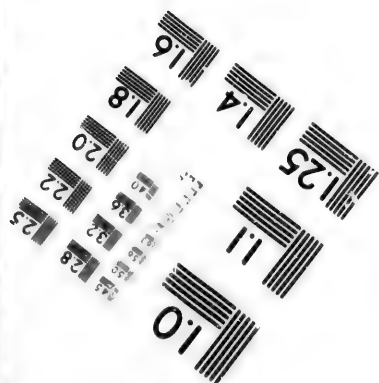
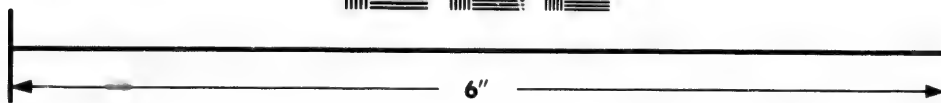
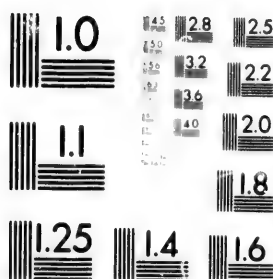
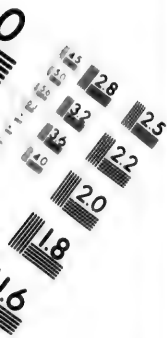


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use, and it is deemed advantageous to sell the land, the trustees for the time being may give public notice of an intended sale, specifying the premises to be sold and the time and terms of sale; and after publication of the notice for four successive weeks in a weekly paper published in or near the place where the lands are situated they may sell the lands at public auction according to the notice; but the trustees shall not be obliged to complete or carry a sale into effect, if in their judgment an adequate price is not offered for the land; but this provision shall not affect or vary any special powers or trusts for sale contained in any deed or instrument, and inconsistent herewith. 36 V. c. 135, s. 7.

Private sales.

8. The trustees may thereafter sell the land either by public or private sale; but a less sum shall not be accepted at private sale than was offered at public sale. 36 V. c. 135, s. 8.

Before conveyance cestuis que trustent to be notified, and sanction obtained.

9. Before any deed of conveyance is executed in pursuance of a public or private sale, the congregation or religious body for whose use the lands are held shall be duly notified thereof, and its assent obtained for the execution of the said deed, and such assent shall be signified by the votes of a majority of the members present at a meeting of the congregation or body duly called for the purpose.

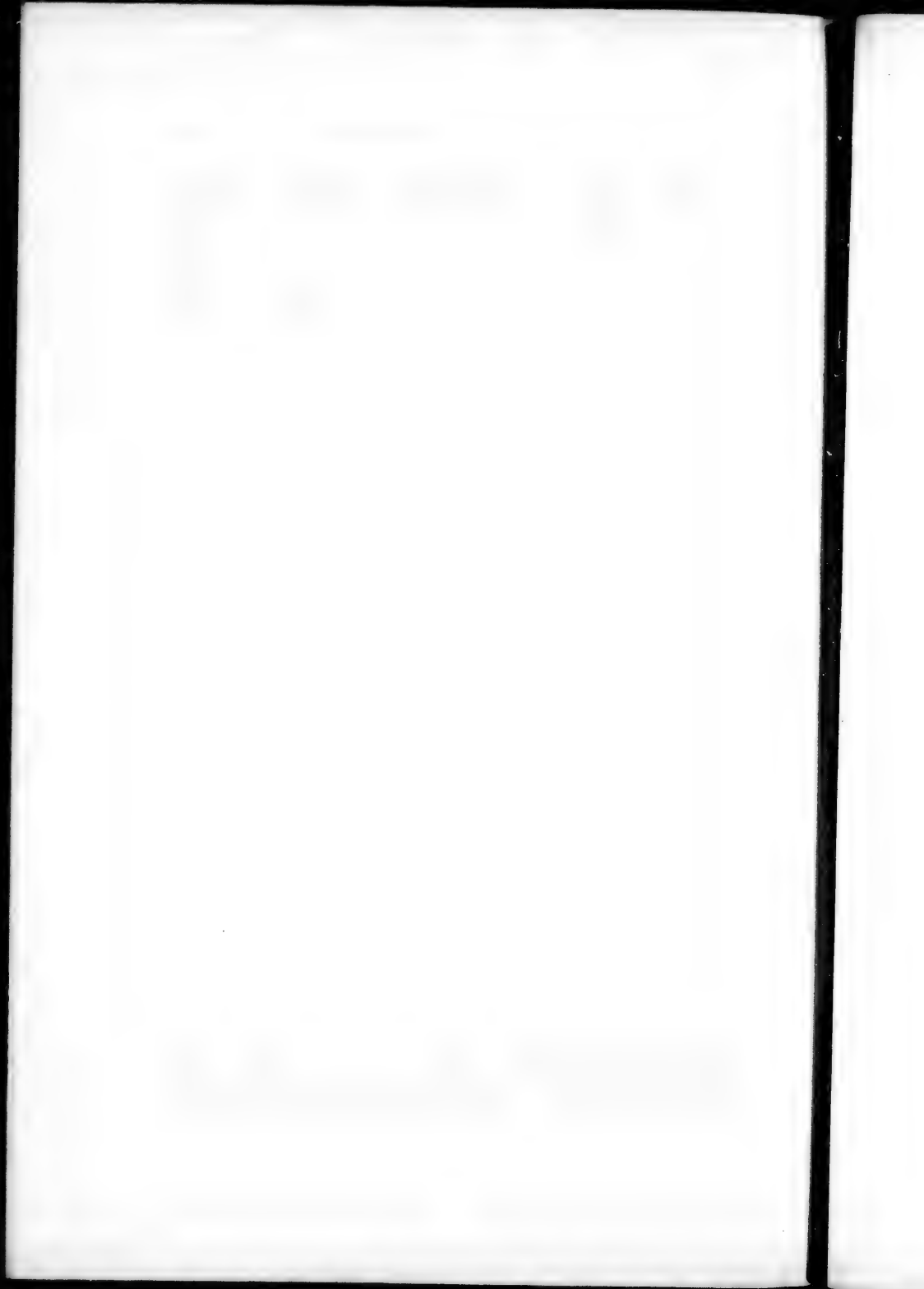
Evidence of.

(2.) Such assent shall be held in favor of the grantee and his assigns to be conclusively testified by the execution of said deed by the chairman at such meeting, or by the official head of such religious body, or by some person appointed at such meeting for the purpose; and the person assuming to execute said deed as chairman, official head or appointee, shall be presumed to be such chairman, official head or appointee (as the case may be).

When County Judge may approve of deed.

(3.) Instead of such assent of the congregation or religious body aforesaid, it shall be sufficient for the validity of any such deed of conveyance, that the sale be sanctioned and the deed approved of by the Judge of the County Court of the County in which the land sold is situate. 36 V. c. 135, s. 9.

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Power to convene public meeting, and determine how successors to trustees be appointed, or trustees.

10. It shall be lawful for any congregation or society of Christians of any denomination on whose behalf lands in this Province are now, have been, or hereafter may be held by a trustee or trustees, without the manner of appointing successors being set forth in the deed of grant, conveyance, will or devise of such lands, or who are or may be entitled to any lands without being a body corporate, at any time hereafter to assemble in a public meeting duly convened by notice in writing, signed by at least five members of such congregation or society, and affixed to the door of their place of worship, at least eight days previous to the day appointed for holding such meeting; and at such meeting, by the votes of a majority of the members of such congregation or society then and there present, to determine in what manner the successors to such trustee or trustees shall be appointed out of the members of the religious denomination on whose behalf such lands were originally granted, conveyed or conceded, or to appoint a trustee or trustees of any lands to which the said congregation or society is entitled, and their successors in the trust. 36 V. c. 135, s. 10.

Record of proceedings, deposit and registry thereof.

11. A record of the proceedings of such meeting shall be made out in writing, and entered and transcribed in the minute book or other official register of the acts and proceedings of such congregation or society, and shall be signed by the Chairman and Secretary thereof, and shall thereafter be deposited of record among the archives of the congregation or society, and a copy of such record, certified to be a true copy by the Chairman or Secretary, on oath (or affirmation) before a Justice of the Peace, shall be recorded in the Registry Office of the County or other Registration Division in which the property is situate.

Copy as evidence.

(2.) A copy of such proceedings taken from the minute book or other official register of the congregation, and certified by the Clerk or custodian of the records of the congregation, or a copy certified by the Registrar of the Registration Division wherein the same has been registered, according to this section, shall be *prima facie* evidence of the contents thereof. 36 V. c. 135, s. 11.

The determination at the meeting to have the effect of a clause in the deed of grant—Upon registration lands of unincorporated bodies to vest in the trustees appointed.

12. Such determination shall, in every such case, have the same effect as a clause in the deed of grant, concession or conveyance of the lands to which it relates, setting forth the manner of appointing successors to the trustee or trustees named, would have; and any lands to which any religious congregation or society, not being incorporated, is entitled, shall from time to time vest in and be held by the trustee or trustees to be appointed as hereinbefore mentioned, and in the successors in the trust, immediately upon the registration of the proceedings in the last preceding section mentioned, and without any or further conveyance or instrument whatsoever. 36 V. c. 135, s. 12.

The case of two societies desirous to build a house of worship.

13. Where members or adherents in any locality of two or more religious societies desire to build a house for public worship, it shall be lawful for each of the societies respectively to appoint from time to time one trustee in the manner and form prescribed in this Act, and the trustees of the religious bodies so united shall have the like powers as are conferred on trustees under this Act, and no others; and as to any act, deed or thing to be done or made by trustees under this Act which requires the sanction or assent of the congregation or religious body, the trustees under this section shall obtain the sanction or assent of each and every of the congregations or religious bodies so united, to be ascertained and signified in the manner hereinbefore mentioned. 36 V. c. 135, s. 13.

Conveyances executed within twelve months from 29th March, 1873, to be as valid as if registered within twelve months from execution, except in case of prior registries.

14. All deeds of conveyance executed before the 29th day of March, 1873, for any of the uses, interests or purposes enumerated therein, if the same were registered before the 30th of March, 1874, shall be as valid and effectual, as if registered within twelve months after the execution thereof respectively, except in so far as the same may be affected by the prior registration of other deeds or instruments relating to the same lands respectively :

Proviso as to certain cases of adverse right.

2. But in all cases where any such religious bodies had not erected any buildings or made improvements, and any person

claiming to hold or to be entitled to any real estate or property included in any such deed on account of the omission to register the same, had, in virtue of such claim, taken possession of such real estate before the said 29th day of March, 1873, and also in all cases where the persons claiming to hold or to be entitled to such real property, on account of such omission as aforesaid, had actually sold or departed with, or had actually contracted to sell or depart with such real estate before the said date, the provisions of this section shall not extend to render invalid any right or title to such estate, but such right or title shall be taken and adjudged to be as if this Act had not been passed. 36 V. c. 135, s. 14.

Conveyances to be registered within twelve months and subjected to the registry laws.

15. The trustees of any lands to which the provisions of this Act apply, shall, within twelve months after the execution of the deed of conveyance, cause the deed to be registered in the office of the Registrar of the County or other Registration Division in which the land is situate, or otherwise the same shall be void; and further, such deed shall be subject to the law affecting priority of registration in the same manner as if made between private parties. 36 V. c. 135, s. 15.

Trustees to exhibit accounts as to lands sold and leased.

16. Trustees selling or leasing land under the authority of this Act shall, on the first Monday in July in every year, have ready and open for the inspection of the congregation or religious body which they represent, or of any member thereof, a detailed statement showing the rents which accrued during the preceding year, and all sums of money whatever in their hands, for the use and benefit of the congregation or religious body, which were in any manner derived from the lands under their control or subject to their management, and also showing the application of any portion of the money which has been expended on behalf of the congregation or body. 36 V. c. 135, s. 16.

Sec. 1 extended to Roman Catholic Churches.

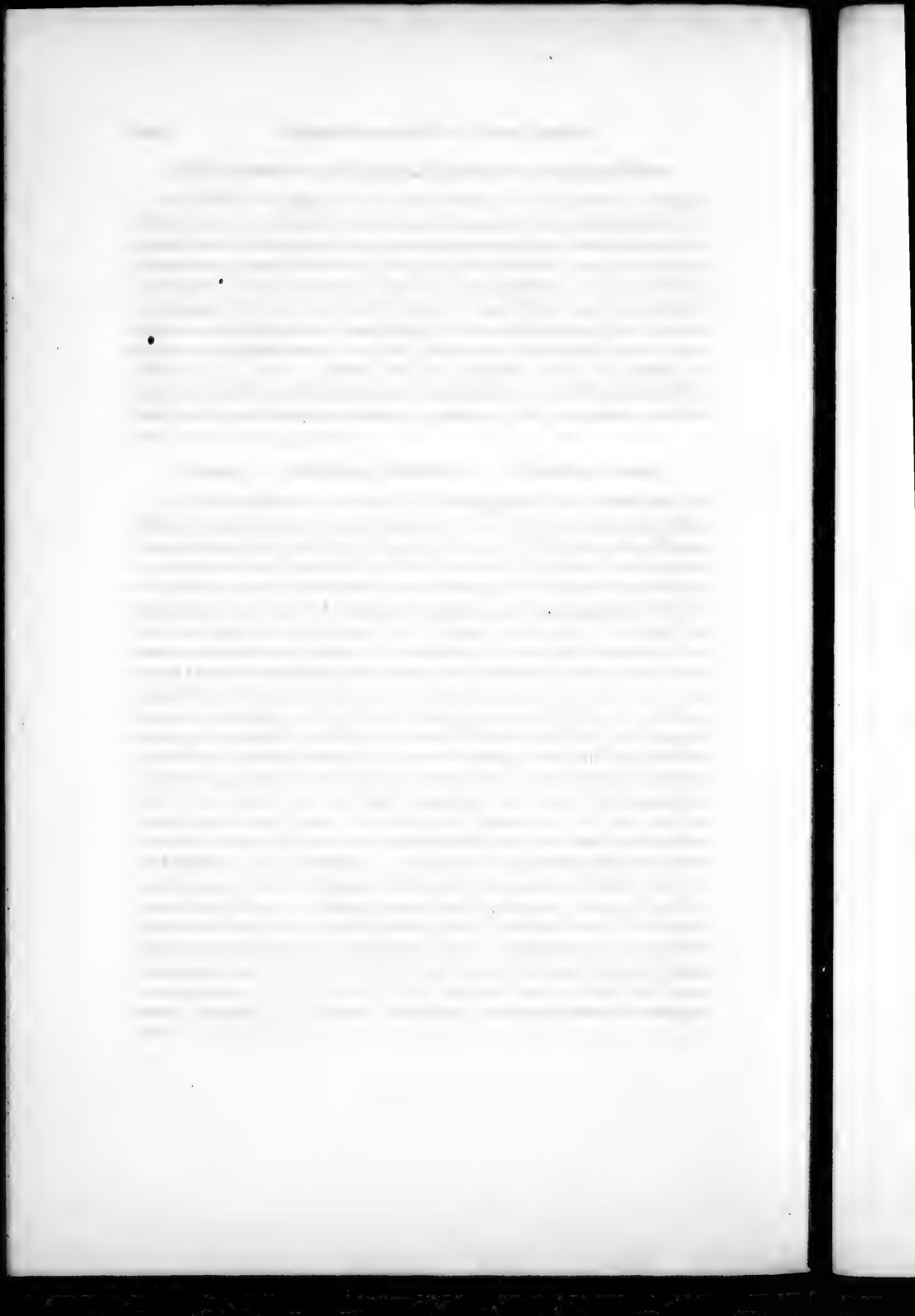
17. All the rights and privileges conferred upon any religious society or congregation of Christians in the first section of this Act mentioned, shall extend, in every respect, to the Roman Catholic Church, to be exercised according to the government of the said Church. 36 V. c. 135, s. 17.

This Act not to affect special Acts as to religious bodies.

18. This Act shall not be construed so as in anywise to repeal, alter, affect or vary any of the provisions in any special Act contained with reference to any religious body or congregation of Christians in this Province, but, on the contrary, any of the said provisions, while differing from or inconsistent with any of the provisions of this Act, shall prevail, and where any additional rights or privileges are conferred by this Act, these shall be construed as supplementary to the provisions contained in any such special Act; and in every case the special trusts or powers of trustees contained in any deed, conveyance, or other instrument, shall not be affected or varied by any of the provisions of this Act. 36 V. c. 135, s. 19.

Powers of Religious Societies as to holding Land.

19. Any religious society or congregation of Christians in Ontario may, by the name thereof, or in that of trustees, from time to time take or hold, by gift, devise or bequest, any lands or tenements, or interests therein, if such gift, devise or bequest is made at least six months before the death of the person making the same, but the said religious society or congregation shall at no time take or hold by any gift, devise or bequest, so that the annual value of any lands or tenements or interests therein, so as to be taken or held by gift, devise or bequest, at any one time exceeds in the whole the sum of one thousand dollars; and no lands or tenements or interests therein, acquired by gift, devise or bequest, shall be held by the said religious society or congregation for a longer period than seven years after the acquisition thereof; and within such period they shall respectively be absolutely disposed of by the said religious society or congregation, which shall have power in the name thereof, or in that of the trustees for said society or congregation, to grant and convey the said lands to any purchaser, so that it no longer retains any interest therein; and the proceeds on such disposition shall be invested in public securities, municipal debentures, or other approved securities, not including mortgages, for the use of the said society or congregation; and such lands, tenements, or interests therein, or such thereof as have not, within the said period, been so disposed of, shall revert to the person from whom the same were acquired, his heirs, executors, administrators or assigns, 36 V. c. 135, s. 20.



XII.—RELIGIOUS INSTITUTIONS ACT, 1878.

An Act to extend the Religious Institutions Act of the Church of England in Ontario.

[41 Vic., cap. 25, Ont.; assented to 7th March, 1878.]

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

The provisions of chapter 216 of the Revised Statutes extended to the Church of England.

1. All the rights, powers, and privileges, conferred upon any religious society or congregation of Christians by the Revised Statute respecting the property of religious institutions, are hereby declared to extend and apply to The Church of England in this Province, formerly or otherwise called The United Church of England and Ireland in Canada, or The United Church of England and Ireland in Upper Canada, or the Church of England in Upper Canada.

How land may be sold or encumbered, consent required.

2. Provided always, that land shall not be sold, mortgaged, leased, or otherwise encumbered, under the powers conferred by the said Act, as extended or declared by this Act, except with the consent of the vestry of the church or congregation interested therein, and of the Bishop of the Diocese, and the Executive Committee of the Synod of the Diocese; and it is hereby declared, that the consent or assent of the vestry, given in accordance with the rules and canons of the said Church, shall be deemed to be the consent or assent of the congregation within the meaning of the said Act, and the execution of the deed by the Bishop, and by the Secretary or Secretaries of the Synod, or a memorandum of consent endorsed thereon and signed by them, shall, in favor of the grantee and his assigns, be conclusive evidence of the consent or assent of the Bishop and Executive Committee.

XIII.—RELIGIOUS INSTITUTIONS ACT, 1879.

An Act respecting the application of the Religious Institutions Act to the Church of England.

[42 Vic., cap. 37, Ont.; assented to March 11th, 1879.]

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

41 V. c. 25 Amended.

1. The Act passed in the forty-first year of Her Majesty's reign, intituled "An Act to extend the Religious Institutions Act to the Church of England," is hereby amended by adding as sub-sections two and three to section one of the said Act the following :

Parson, Incumbent and Churchwardens to be Trustees within the meaning of the Act.

2. The Parson or other Incumbent of the Church for the time being and the churchwardens thereof, shall, for the purpose of this Act and of the said Revised Statute, be deemed and taken to be trustees within the meaning of the said Revised Statute, by whom the like rights and powers as trustees under the said Statute may be exercised, subject however to the provisions contained in the second section of the said Act hereby amended.

Bishop, etc., to be Trustees under 3 V., c. 74, s. 16.

3. In cases within the sixteenth section of the Act passed in the third year of Her Majesty's reign, chapter seventy-four, and intituled "An Act to make provisions for the management of the Temporalities of the United Church of England and Ireland in this Province, &c.," the Bishop, or Parson, Rector or Incumbent, or any successor or other person in whom the legal title or estate is vested, by, from or under any of them, shall also be deemed and taken to be a trustee, by whom the like rights and powers of trustees, under the said Revised Statute respecting Religious Institutions, may be exercised equally, as in the case of such trustees, subject, however, to the provisions contained in the second section of the said Act hereby amended.

XIV.—RELIGIOUS INSTITUTIONS ACT, 1882.

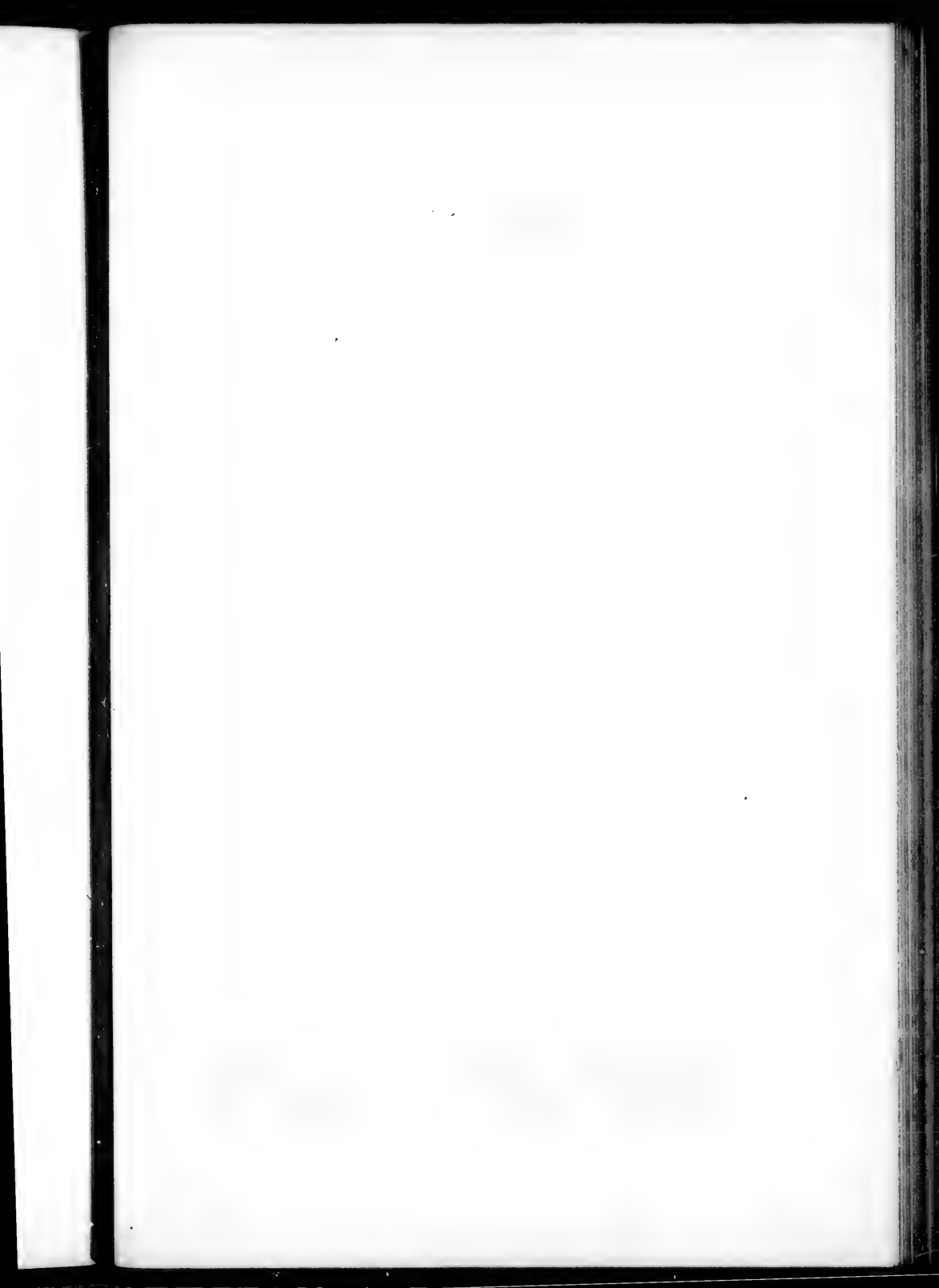
An Act to amend the Act respecting the Property of Religious Institutions.

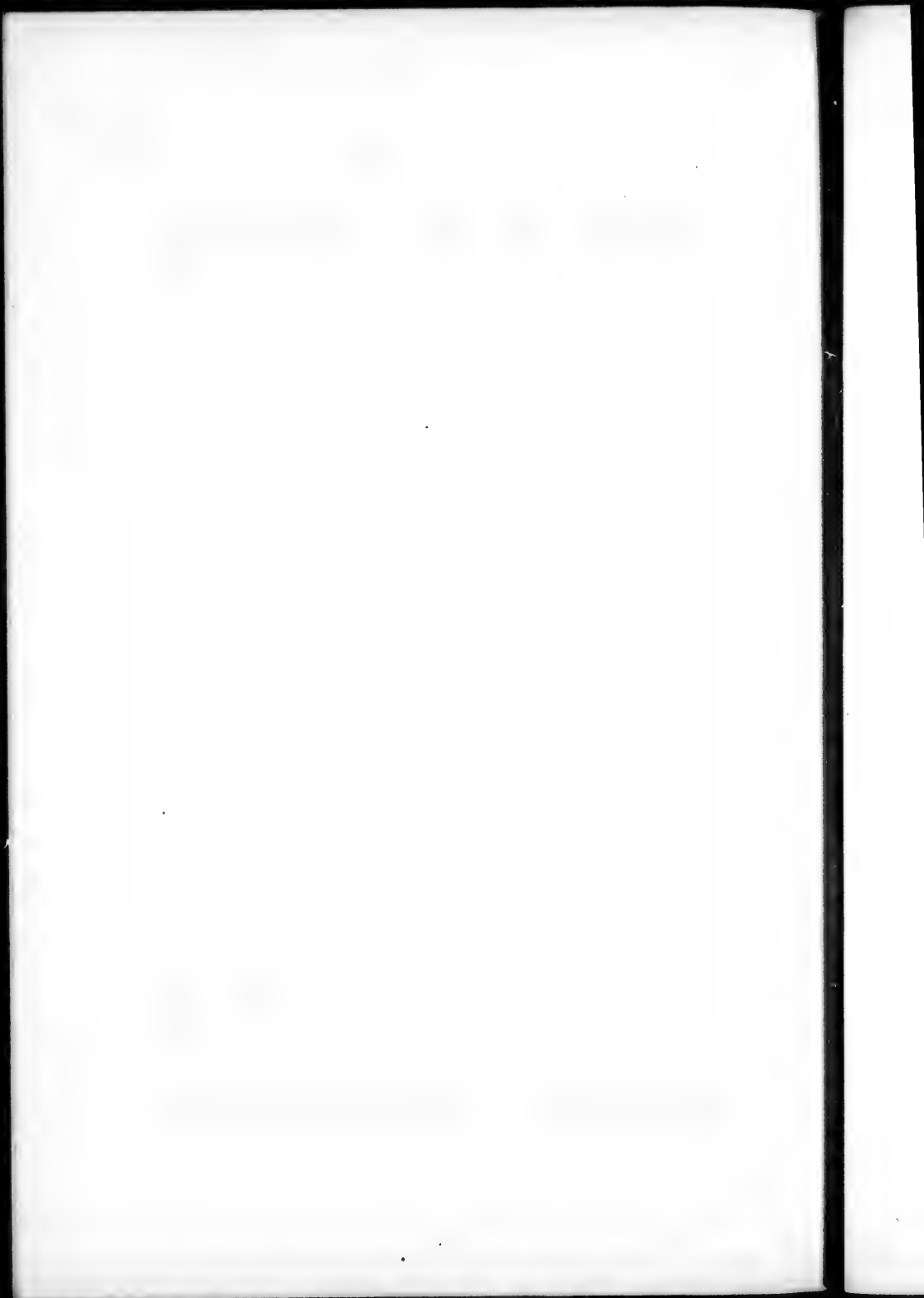
[45 Vic., cap. 81, Ont.; assented to March 10th, 1882.]

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

R. S. O. Cap. 216 amended.

1. The following sections shall be added to the Act respecting the property of Religious Institutions, as sections twenty and twenty-one thereof respectively :





Power to appoint joint Trustees.

20. Whenever any two or more different parcels of land adjoining each other, or in the same neighbourhood, are held as sites for burial grounds by different bodies of trustees, whether of the same denomination, society, or congregation, or of different denominations, societies, or congregations of Christians, and such trustees think it desirable that for purposes of economic management, or any other reason, such parcels should be vested in one body of trustees, such two or more bodies of trustees, or the majority of each of such bodies, may, by deed under their hands, appoint trustees to whom and their successors to be appointed in such manner as may be specified in such deed, all or any of the lands vested in such appointing bodies of trustees as sites for burial grounds may be conveyed, and such trustees so by such deed appointed, and their successors in perpetual succession by the name expressed in the deed, may take, hold and possess the lands thereby or thereafter conveyed to them as a site or sites for a burial ground, and maintain and defend actions in law and equity for the protection thereof and of their property therein, and the said several appointing bodies of trustees may, in or by the same deed of appointment, or by any other deed or deeds, convey and assure all or any of the parcels of land so as aforesaid vested in them respectively to such trustees so appointed and their successors upon, with and subject to such trusts, powers, limitations and provisions not inconsistent with the purposes of a burial ground, as shall by the parties thereto be deemed proper.

Assent of Congregations required.

21. No such deed of appointment of trustees, and no such conveyance or assurance shall be made or executed by any body, or the majority of any body of trustees, unless or until the congregation or religious body for whose use the lands are held shall be duly notified thereof, and its assent obtained for the execution of such deed of appointment, or of such conveyance or assurance, and such assent shall be signified by the votes of a majority of the members present at a meeting of the congregation or body duly called for the purpose :

(2) Such assent shall be held in favour of such new trustees and their successors to be testified by the execution of said deed by the chairman at such meeting, or by the official head of such religious body, or by some person appointed at such meeting for the purpose ; and the person assuming to execute said deed as chairman, official head, or appointee, shall be presumed to be such official chairman, head, or appointee (as the case may be).

XV.—RELIGIOUS INSTITUTIONS ACT, 1886.

An Act to amend the Act respecting the application of the Religious Institutions Act to the Church of England.

49 Vic., cap. 48, Ont; assented to 25th March, 1886.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

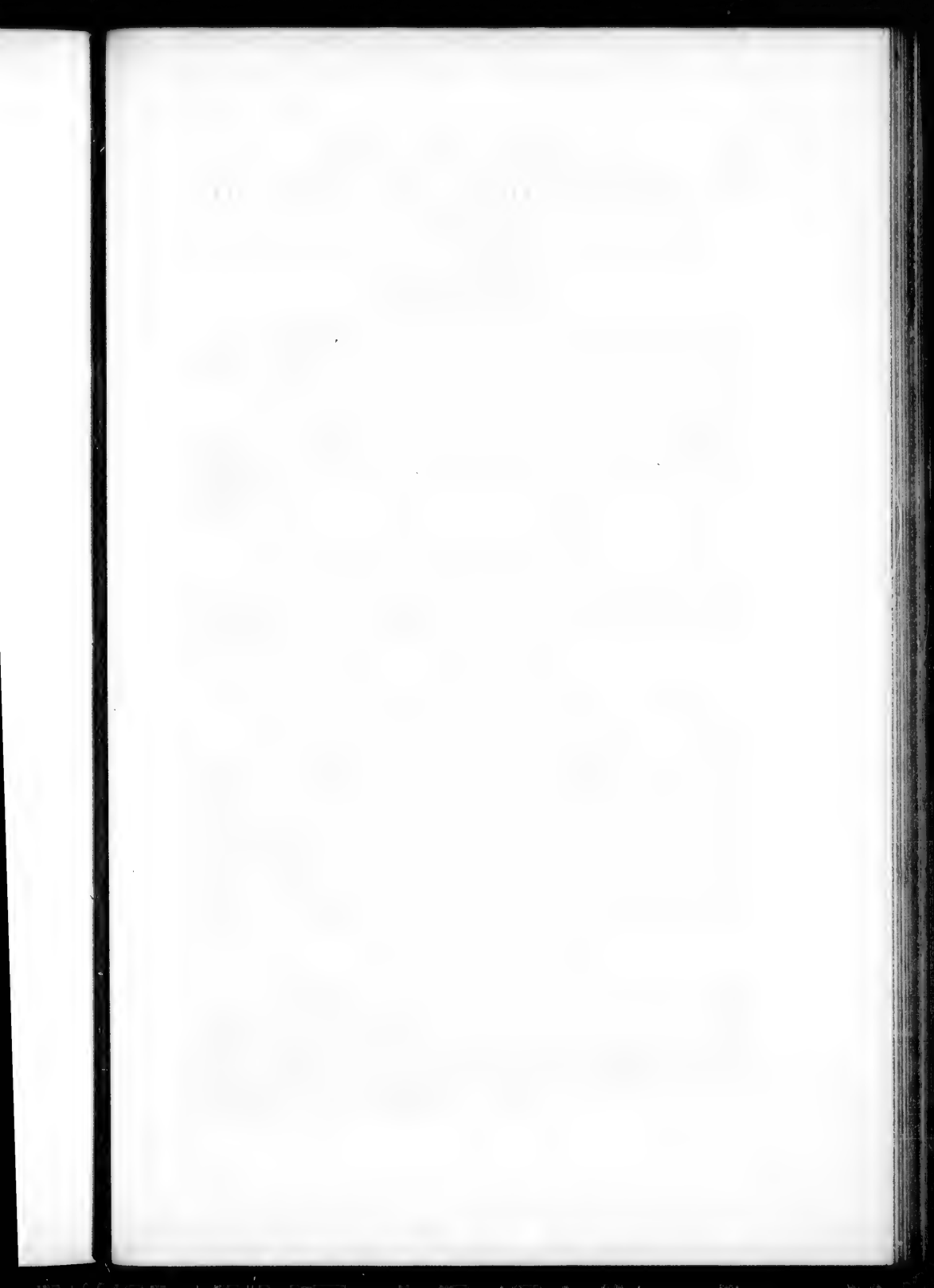
1. The Act passed in the 41st year of Her Majesty's reign intituled *An Act to extend the Religious Institutions Act to the Church of England*, as amended by the Act passed in the 42nd year of Her Majesty's reign, chapter 37, is hereby amended by adding as sub-sections 4 and 5 to section 1 of the said Act the following :

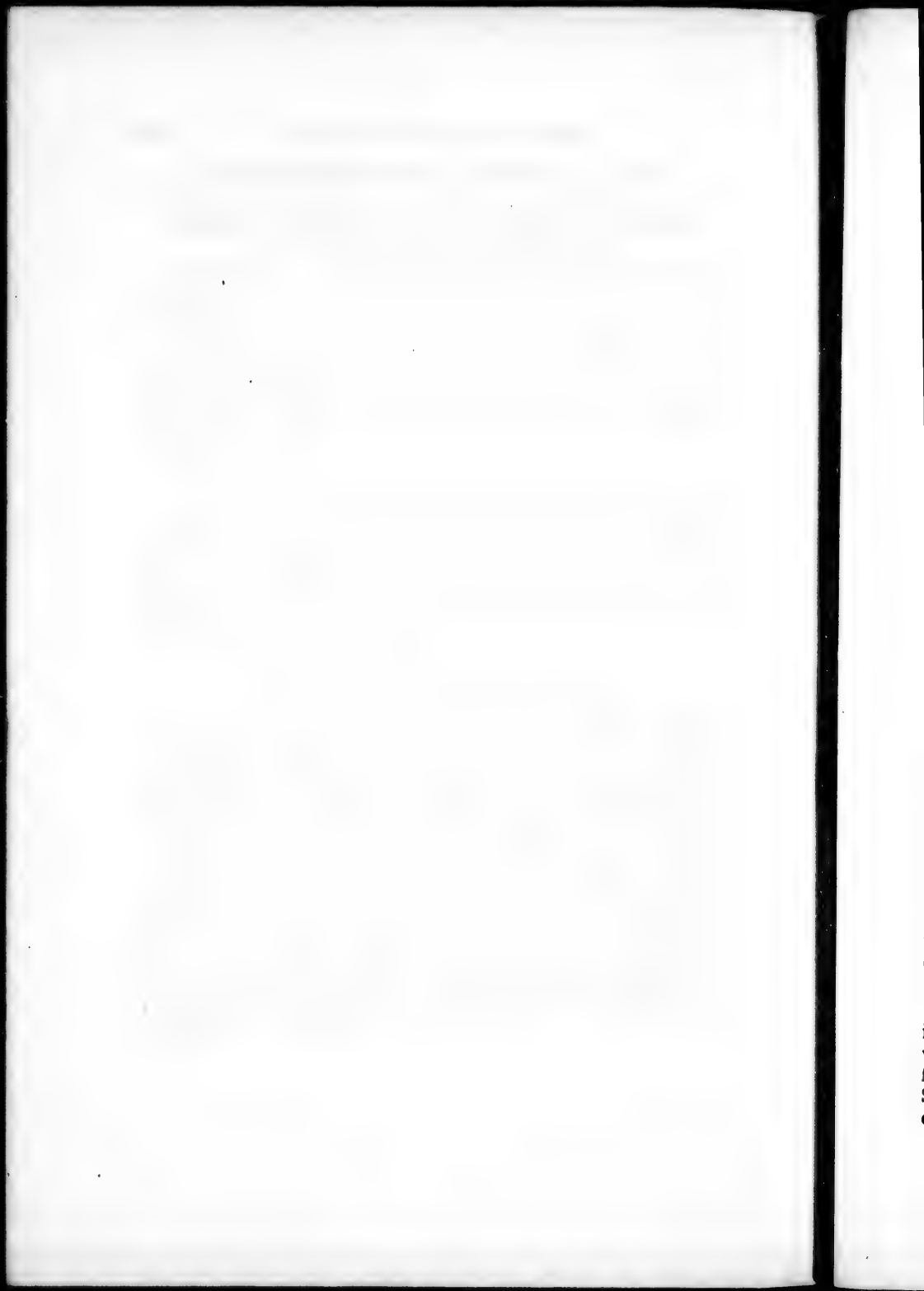
Property vested in the Bishop in trust.

(4.) In cases of property vested in the Bishop of any Diocese in trust, not covered by the preceding sub-section, the Bishop shall also be deemed and taken to be a trustee by whom the like powers of trustees under the said Revised Statute respecting Religious Institutions may be exercised equally, as in the case of such trustees; subject, however, to the provisions contained in section 2 of this Act.

Property vested in the Synod in trust.

(5.) In case of property vested in the Synod of any Diocese within the Act passed in the 7th year of Her Majesty's reign, chapter 68, intituled *An Act to incorporate the Church Societies of the United Church of England and Ireland in the Dioceses of Quebec and Toronto*, and the Act passed in the 32nd year of Her Majesty's reign, chapter 51, intituled *An Act to incorporate the Synod of the Diocese of Toronto and to unite the Church Society of the Diocese of Toronto therewith*, the Synod shall also be deemed and taken to be a Trustee, by whom the like rights and powers of Trustees under the said Revised Statute respecting Religious Institutions may be exercised equally, as in the case of such Trustees; subject, however, to the provisions contained in section 2 of this Act, and the powers of the Synod under this sub-section may be exercised by and through such Boards and Committees as the Synod may, from time to time, by by-law appoint for that purpose.





XVI.—REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

An Act respecting the Registration of Births, Marriages and Deaths.

(Rev. Stat. Ontario, cap. 38.)

Such portions only of this Act are given as affect the Clergy.)

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Registration Divisions and Division Registrars.

3. For the purposes of this Act, each City, Town, incorporated Village, Township or Union of Township, shall be a Registration Division ; and the Clerks of such Municipalities shall be Division Registrars ; * * * 39 V., c. 2, s. 2 ; 40 V., c. 7, Sched. A. (23.)

Clergymen, &c., to keep a registry of baptisms, marriages and deaths.

7. Every clergyman, teacher, minister or other person authorized by law to baptize, marry or perform the funeral service in Ontario, shall keep a registry showing the persons whom he has baptized or married, or who have died within his cure and belonging to his congregation. C. S. C. c. 33, s. 32.

Particulars as to marriage to be furnished—Registrar to furnish forms.

11. Every clergyman, minister or other person authorized by law to celebrate marriages, shall be required to report each and every marriage he celebrates to the Registrar of the Division within which such marriage is celebrated, within ninety days from the date of such marriage, with the particulars required by Schedule B, appended to this Act, and in order the better to enable the said clergyman, minister or other person to make such report as aforesaid, he shall be furnished by the Division Registrar of the Division in which he resides with blank forms containing the particulars required by the said Schedule B. 39 V., c. 2, s. 13.

Certificate of registry of death.

13. Every Division Registrar shall, immediately upon registering any death, or as soon thereafter as he is required so to do, without fee or reward, deliver to any person requiring the same for the purpose of burial, a certificate according to form of Schedule D appended to this Act, that the particulars of such death have been duly registered. 39 V., c. 2, s. 7.

Minister, &c., on burying to make return of death, except on receipt of certificate from Registrar.

14. Every minister or other person who buries or performs any funeral or religious service for the burial of any dead body, unless he has received a certificate under the hand of the Registrar of the Division in which the death took place, according to the Schedule D to this Act annexed, that the particulars of such death have been duly registered, shall make a return of such death according to Schedule C to this Act annexed, to the Registrar of the Division in which the death took place, within seven days after such burial. 39 V., c. 2, s. 8.

Search of, and extracts from records—Evidence—Fees.

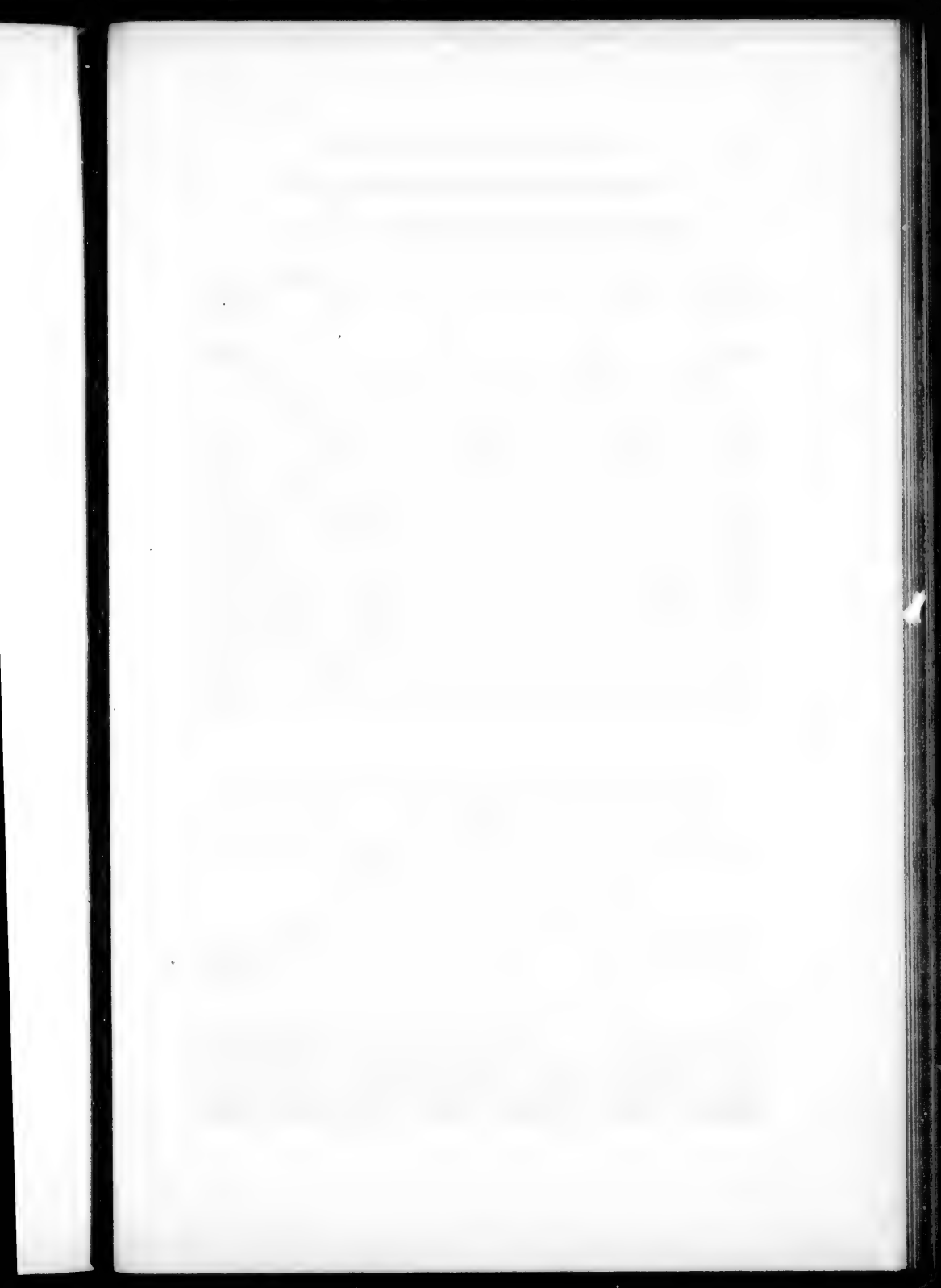
19. All persons shall be entitled, at all reasonable hours, to search these records, and to require and receive extracts duly certified by the Registrar-General or Inspector; which extracts shall be evidence of the entry certified, and *prima facie* evidence in any Court of Law or Equity in this Province, of the facts therein stated; and for every such certificate, the person so requiring the same shall pay a fee of fifty cents. 39 V., c. 2, s. 18.

Penalty for false statements.

23. Any person who knowingly or wilfully makes or causes to be made any false statement touching any of the particulars required to be reported and entered under this Act, shall, upon conviction thereof before any Justice of the Peace, forfeit the sum of forty dollars. 39 V., c. 2, s. 19.

Penalty for neglect to report.

24. If any householder, head of a family, clergyman, physician or other person or persons required by this Act to report births, marriages and deaths refuses or wilfully neglects to do so within the time named, such person shall, for each and every offence, forfeit and pay a sum not less than one dollar, nor more than twenty dollars and costs, in the discretion of the presiding Justice before whom the case is heard; and it shall be the duty of the Division Registrar to prosecute all such persons so neglecting or refusing to make the required reports; but if the return required by this Act to be made by more than one person is made by any one of such persons, the other of such persons shall not be liable to any penalty in respect of his default. 39 V., c. 2, s. 22.





XVII.—REGISTRATION OF DEATHS.

An Act respecting the Registration of Deaths.

[42 Vic., cap. 12, Ont.; assented to March 11th, 1879.]

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Returns to be made by Minister, etc., officiating at funeral, unless he has received Certificate of Registrar of Deaths.

1. Notwithstanding anything contained in section fourteen of the Act respecting the Registration of Births, Marriages and Deaths being chapter thirty-six of the Revised Statutes, where any minister or other person has occasion to bury, or perform any funeral or religious service for the burial of any dead body, without having received the certificate of the Registrar of the Division in which the death took place that the particulars of such death have been duly registered, it shall be sufficient for such minister or other person (in lieu of the return by the said section required) to give to the registrar, within seven days after the burial, a written notice under the hand of such minister or other person, stating, according to his knowledge, information and belief, the name and residence of the deceased, and the date and place at which the burial took place, or at which the service was performed, either without or with any of the other particulars mentioned in schedule C to the said Act.

XVIII.—REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

An Act to amend the law respecting the registration of Births, Marriages and Deaths.

[44 Vic., cap. 4, Ont.; assented to March 4th, 1881.]

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

R. S. O., c. 180, s. 12, amended.

1. Section twelve of the Assessment Act (chapter one hundred and eighty, Revised Statutes of Ontario,) is hereby amended as follows, viz.: There shall be added to the assessment roll for every township three additional columns immediately after column twenty-six, to be headed respectively, "Birth," "Death,"

"Registered," and to be numbered twenty-seven, twenty-eight and twenty-nine, and it shall be the duty of the assessor or assessors, when making the annual assessment, to inquire of each resident taxable party whether there has been a birth or death in the family within the previous twelve months, and if either, whether the same has been registered or not; if it has not been registered the assessor shall put the figure 1 opposite the name in the column headed "Birth" or "Death," as the case may be; if registered, the letter "R" in the column (twenty-nine) set apart for "Registered." If any assessor refuses or neglects to comply with the requirements of this section, upon conviction thereof before any court of competent jurisdiction, he shall be subject to the penalty imposed by section one hundred and eighty-nine of the Assessment Act. This section shall take effect from and after the first day of January next.

Alteration of name after registration, how made.

2. When the birth of any child has been registered, and the name, if any, by which it was registered has been altered, or if it was registered without a name, when a name is given to it, the parent or guardian of such child or other person procuring such name to be altered or given, may, within two years next after the registration of the birth, deliver to the Registrar-General a certificate signed by the minister or person who performed the rite of baptism upon which the name was given or altered, or if the child is not baptised, signed by the father, mother or guardian of the child, or other person procuring the name of the child to be given or altered, and the Registrar-General shall upon the receipt of such certificate make the necessary alteration in the margin of the schedule containing the original entry without any alteration in such entry.

R. S. O., c. 36, s. 10, amended.

3. Section ten of the Act respecting the Registration of Births, Marriages and Deaths, chapter thirty-six of the Revised Statutes, is hereby amended by striking out the word "one" in the fourth line thereof, and substituting therefor the word "two."

Provision for registration of birth after expiration of two years.

4. After the expiration of two years next after the birth of any child, whether born before or after the passing of this Act, that birth shall not be registered except with the written authority of the Registrar-General, and the fact of such authority having been given shall be entered in the column set apart for remarks in schedule A.

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Provision for registration of death after expiration of two years.

5. After the expiration of two years next after any death, or after the finding of any dead body elsewhere than in a house, that death shall not be registered except with the written authority of the Registrar-General, and the fact of such authority being given shall be entered in the column set apart for remarks in schedule C.

R. S. O., c. 36 s. 24, amended.

6. Section twenty-four of the said Act is hereby amended by adding the words "and such prosecution shall be commenced within two years after the time allowed for reporting such birth, marriage or death."

Superintendent, &c., of cemetery to notify division registrar in certain cases.—Penalty for neglect.

7. Every superintendent or caretaker of any cemetery or burial ground, whether public or private, permitting any dead body to be entered in the grounds over which he has charge, unless he receives a certificate under the hand of the division registrar of the division in which the death took place, that the particulars of such death have been duly registered, shall give to such division registrar within seven days after the burial a written notice under his hand, stating according to his knowledge, information and belief, the name and residence of the deceased and the date and place at which the death and burial took place. Any superintendent or caretaker neglecting or refusing to comply with this section, shall for each and every offence be liable to the penalties provided by the twenty-fourth section of the said Act respecting the Registration of Births, Marriages and Deaths, and the procedure for the recovery thereof shall be the same as is by said Act provided. This Act shall be read with and as part of the Act respecting the Registration of Births, Marriages and Deaths, and shall take effect from and after the passing thereof.

XIX.—SOLEMNIZATION OF MARRIAGES.

An Act respecting the Solemnization of Marriages.

[Rev. Stat. Ontario, cap. 124.]

(Such portions only of this Act are given as affect the Clergy.)

Her Majesty, by and with the advice and consent of the

Legislative Assembly of the Province of Ontario, enacts as follows :—

Minister of any denomination may solemnize marriage.

1. The ministers and clergymen of every church and religious denomination duly ordained or appointed according to the rights and ceremonies of the churches or denominations to which they respectively belong, and resident in Ontario, may, by virtue of such ordination or appointment, and according to the rights and usages of such churches or denominations respectively, solemnize the ceremony of marriage between any two persons not under a legal disqualification to contract such marriage. C. S. U. C. c. 72, s. 1.

No Minister to solemnize marriage unless authorized by license or certificate or after publication of banns.

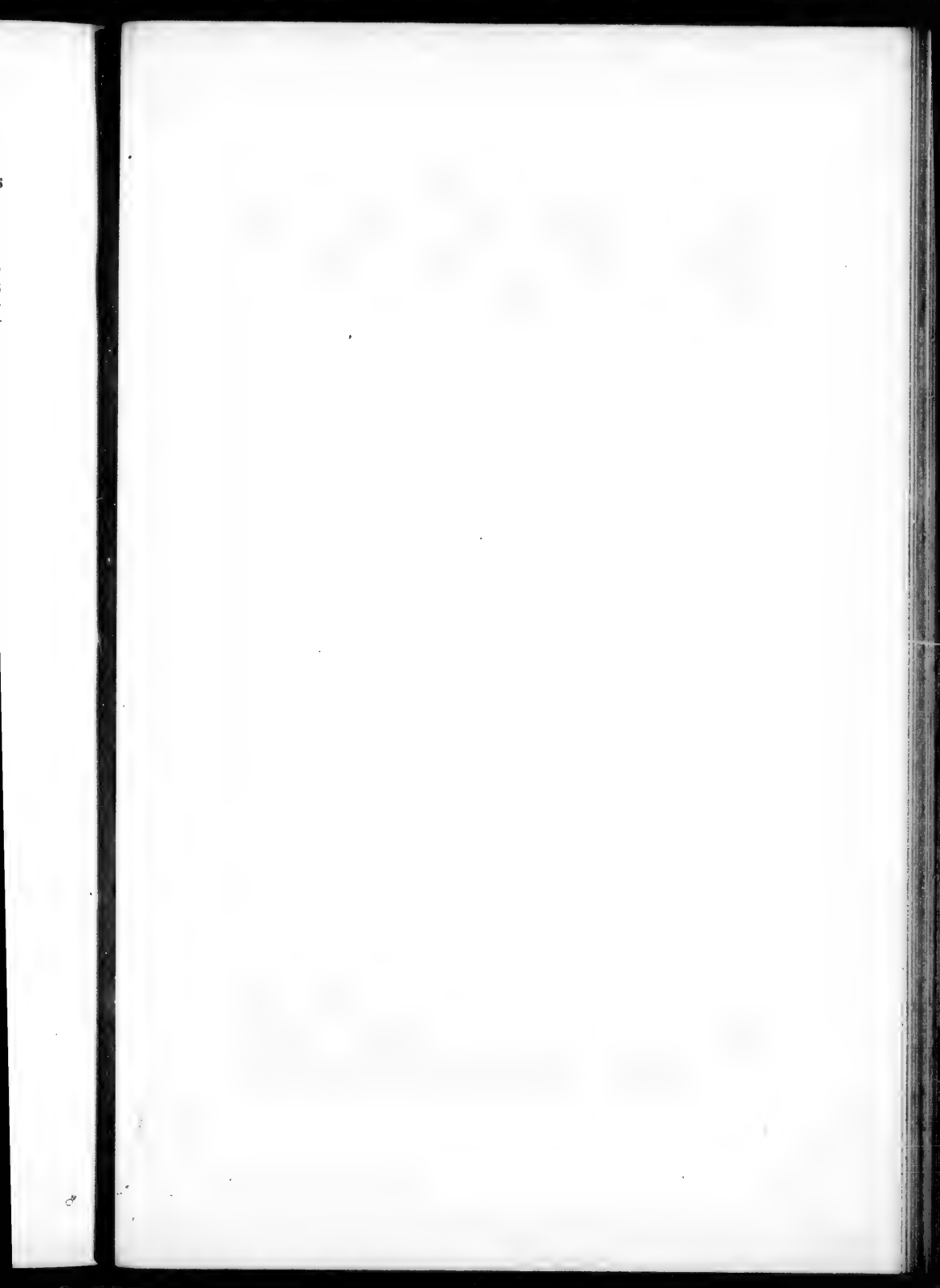
2. No minister or clergyman shall celebrate the ceremony of marriage between any two persons, unless duly authorized so to do by license under the hand and seal of the Lieutenant-Governor, or his Deputy duly authorized in that behalf, or by a certificate under this Act, or unless the intention of the two persons to intermarry has been proclaimed once, openly, and in an audible voice, either in the church, chapel or meeting-house in which one of the parties has been in the habit of attending worship, or in some church, chapel, meeting-house, or place of public worship of the congregation or religious community with which the minister or clergyman who performs the ceremony is connected, in the local municipality, parish, circuit or pastoral charge, where one of the parties has, for the space of fifteen days immediately preceding, had his or her usual place of abode ; such proclamation to be on a Sunday, immediately before the service begins, or immediately after it ends, or at some intermediate part of the service. C. S. U. C. c. 72, s. 2 ; 37 V., c. 6, ss. 2 & 4, *last part*. See *Rev. Stat.*, c. 13, s. 2.

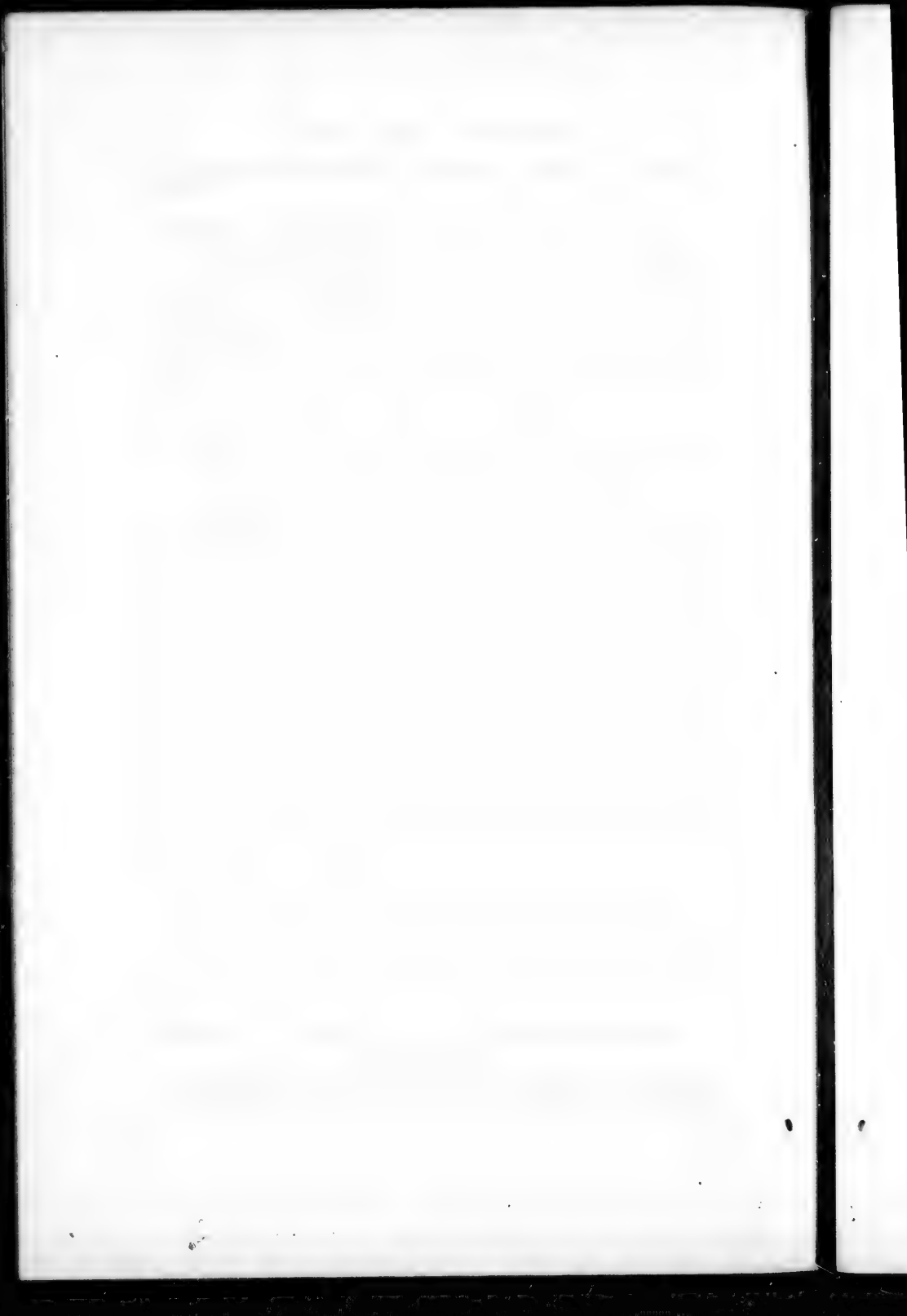
No valid objection that it was not in a church or chapel, &c.

15. It shall not be a valid objection to the legality of a marriage that the same was not solemnized in a consecrated church or chapel, or within any particular hours. C. S. U. C. c. 72, s. 3.

Ministers marrying must give certificate if required—Fee for certificate.

16. Every clergyman or minister, who celebrates a marriage, shall, if required at the time of the marriage by either of the





parties thereto, give a certificate of the marriage, under his hand, specifying the names of the persons married, the time of the marriage, and the names of two or more persons who witnessed it, and specifying also whether the marriage was solemnized pursuant to license or certificate under this Act, or after publication of banns; and the clergyman or minister may demand twenty-five cents for the certificate given by him from the person requiring it. C. S. U. C. c. 72, s. 4.

Ministers to enter marriages in a book, &c.—Form of record—
Rev. Stat., c. 36.

17. Every clergyman and minister shall, immediately after he has solemnized a marriage, enter in a book, to be kept by him for the purpose, a true record of the marriage; which record shall specify all the particulars given in Schedule B to *The Act respecting the Registration of Births, Marriages and Deaths*. C. S. U. C. c. 72, ss. 5. 6.

Clerks of the Peace to furnish books and printed forms at the expense of the County.

18. The Clerk of the Peace of every County shall, at the expense of the County, from time to time on demand, furnish all clergymen or ministers with the books to be kept; and such books shall have columns and headings printed on every page according to the form of said Schedule B; and the books shall be of such size and form as to admit of the necessary entries being conveniently made therein. C. S. U. C. c. 72, s. 13.

Said books, &c., to be the property of the church to which clergyman belongs.

19. The book by whomsoever furnished shall be the property of the church or denomination to which the clergyman or minister, clerk or secretary belongs at the time of the first marriage which he records therein. C. S. U. C. c. 72, s. 14.

License to protect minister from damages where he is unaware of the impediment.

21. No minister who performs any marriage ceremony after banns published, or after a license or a certificate under this Act issued, shall be subject to any action or liability for damages, or otherwise by reason of there having been any legal impediment to the marriage, unless, at the time when he performed the ceremony, he was aware of the impediment. 37 V., c. 6, s. 10.

XX.—VALIDITY OF ACTS OF FOREIGN ORDAINED CLERGYMEN, 1865.

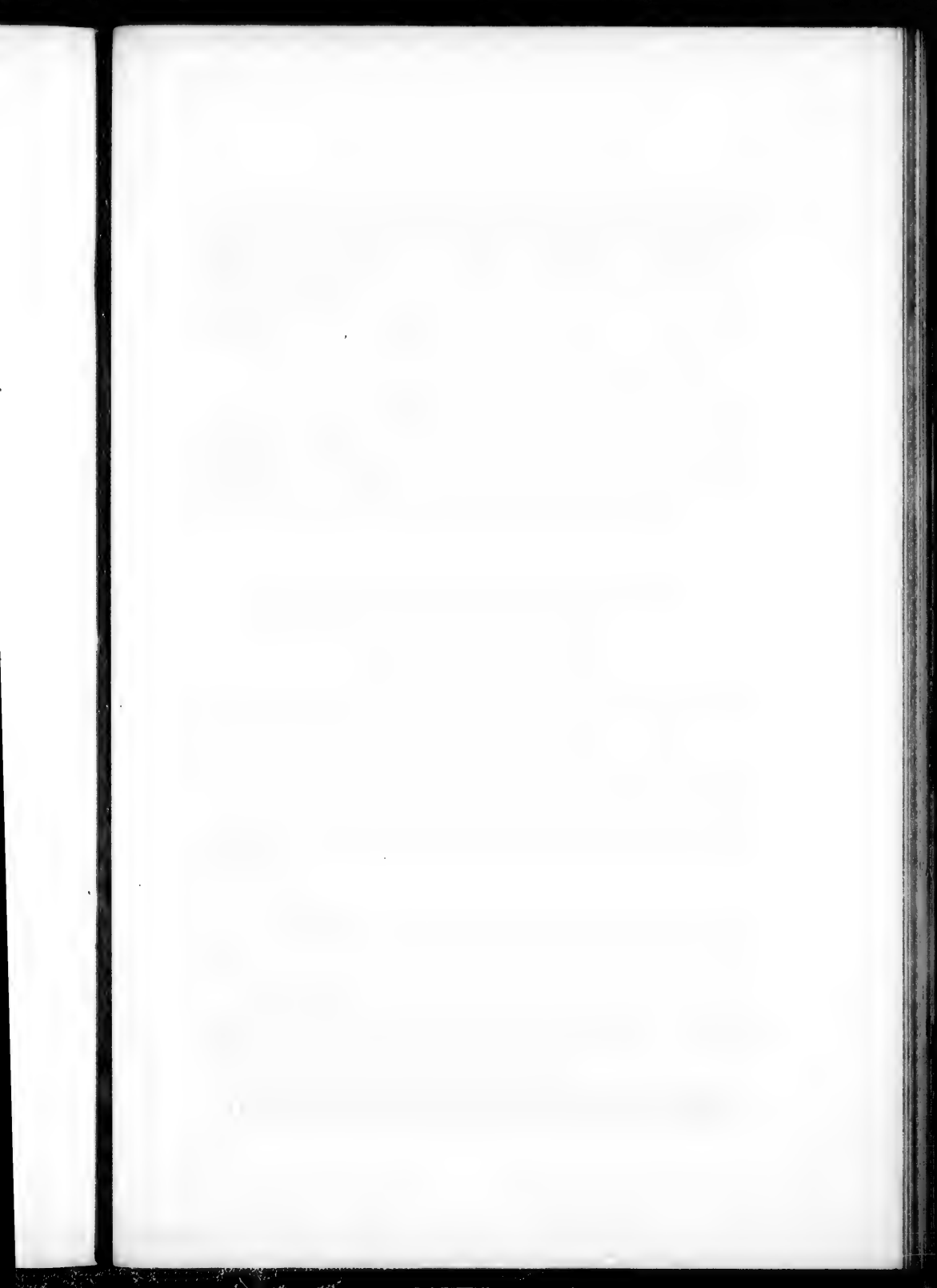
An Act to establish the validity of Acts performed in Canada by certain Clergymen ordained in Foreign Parts, and for other purposes.

[28 Vic., ch. 7; assented to 18th March, 1865.]

Whereas, by the Third Section of an Act of the Imperial Parliament, passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled: "An Act to empower the Archbishop of Canterbury or the Archbishop of York, for the time being, to consecrate to the office of Bishop persons being subjects or citizens of countries out of His Majesty's Dominions," it was, in effect, enacted that no person or persons admitted to the order of Deacon or Priest, by any Bishop or Bishops so consecrated, or by the successor or successors of any Bishop or Bishops so consecrated, should be thereby enabled to exercise his or their respective office or offices within His Majesty's dominions; and whereas, from its having been apprehended that divers persons so admitted to such order of Deacon or Priest, had exercised their respective offices within divers British Colonies, and that the validity of their acts so performed, and even the power of Colonial Legislatures to give validity thereto, were doubtful, it was afterwards, in effect, enacted by another Act of the Imperial Parliament, passed in the Session held in the twenty-sixth and twenty-seventh years of her Majesty's Reign, intituled: "An Act to establish the validity of acts performed in Her Majesty's possessions abroad, by certain clergymen ordained in Foreign Parts, and to extend the powers of Colonial Legislatures with respect to such Clergymen," that the Legislature of any such Colony might authorize any such persons to exercise their respective offices therein, anything in the aforesaid Act to the contrary notwithstanding; and that all acts theretofore performed in any British Colony by any person having been admitted to the office of Priest or Deacon by any of such Bishops as aforesaid, or of their successors, should be as valid and effectual at law, for all purposes whatever, as if such person had been so admitted by a Bishop or Bishops of the United Church of England and Ireland; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Acts of persons ordained by Bishops in Foreign Parts, and who have obtained licenses from Bishops in the Province, to be valid.

1. Any persons admitted to the order of Priest or Deacon by





any of such Bishops as are mentioned in the said first recited Act, and having obtained the license to that end of the Bishop of any Diocese within this Province, of the United Church of England and Ireland, may exercise their respective offices as such within this Province; and their acts so performed shall be as valid and effectual at law for all purposes whatever, as if such persons had been so admitted by a Bishop or Bishops of the United Church of England and Ireland.

Acts heretofore performed by them declared valid.

2. All Acts heretofore performed within this Province by any person having been admitted to the order of Priest or Deacon by any of such Bishops as are mentioned in the said first recited Act, shall be as valid and effectual at law for all purposes whatever, as if such person had been so admitted by a Bishop or Bishops of the United Church of England and Ireland.

XXI.—COLONIAL AND OTHER CLERGY.

An Act of the Imperial Parliament respecting Colonial and certain other Clergy.

[37-38 Vict., Chap. 77, 7th August, 1874.]

Whereas, by divers Acts of Parliament, certain disabilities are imposed on persons ordained by Bishops, not being Bishops of the United Church of England and Ireland;

And whereas, by an Act passed in the thirty-second and thirty-third years of Her present Majesty, chapter forty-two, it is enacted that the Union created by Act of Parliament, between the Churches of England and Ireland, shall be dissolved, and that enactments relating to the said United Church shall be read distributively in respect of the Church of England and the Church of Ireland;

And whereas it is desirable to amend the law respecting persons having been ordained by Bishops, not being Bishops of either of the said Separate Churches or of the said Church hereinafter collectively called "The Churches aforesaid;"

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, as follows:—

I. This Act may be cited as, "The Colonial Clergy Act, 1874."

II. The enactments enumerated in Schedule A annexed to

this Act, are repealed, but not so as to render invalid anything lawfully done in conformity with any of them.

III. Except as hereinafter mentioned no person who has been or shall be ordained Priest or Deacon, as the case may be, by any Bishop other than a Bishop of a Diocese in one of the Churches aforesaid, shall, unless he shall hold or have previously held preferment of a curacy in England, officiate as such Priest or Deacon in any Church or Chapel in England, without written permission from the Archbishop of the Province in which he proposes to officiate, and without also making and subscribing so much of the Declaration contained in "The Clerical Subscription Act, 1865," as follows, that is to say): "I assent to the thirty-nine Articles of Religion and to the Book of Common Prayer, and of the ordering of Bishops, Priests and Deacons. I believe the doctrine of the Church of England as therein set forth to be agreeable to the Word of God; and in Public Prayer and Administration of the Sacraments, I, whilst ministering in England, will use the form in the said Book prescribed and none other, except so far as shall be ordered by lawful authority."

IV. Except as hereinbefore mentioned, no person who has been or shall be ordained Priest or Deacon, as the case may be, by any Bishop other than a Bishop of a Diocese in one of the Churches aforesaid, shall be entitled as such Priest or Deacon to be admitted or instituted to any benefice or other ecclesiastical preferment in England, or to act as curate therein, without the previous consent in writing of the Bishop of the Diocese in which such preferment or curacy may be situate.

V. Any person holding ecclesiastical preferment, or acting as curate in any Diocese in England, under the provisions of this Act, may, with the written consent of the Bishop of such Diocese, request the Archbishop of the Province to give him a license in writing under his hand and seal in the following form, that is to say:

"To the Rev. A. B.

"We, C., by Divine Providence, Archbishop of D., do hereby give you the said A. B. authority to exercise your office of Priest (or Deacon), according to the provisions of an Act of the thirty-seventh and thirty-eighth years of Her present Majesty, intituled, 'An Act respecting Colonial and certain other Clergy.'"

"Given under our hand and seal on the.....day of....."

C. (L. S.), D.

And if the Archbishop shall think fit to issue such license, the

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same shall be registered in the Registry of the Province, and the person receiving the license shall thenceforth possess all such rights and advantages, and be subject to all such duties and liabilities, as he would have possessed and been subject to, if he had been ordained by the Bishop of a Diocese in England; Provided that no such license shall be issued to any person, who has not held ecclesiastical preferment, or acted as curate for a period or periods exceeding in the aggregate two years.

VI. All appointments, admissions, institutions, or inductions to ecclesiastical preferment in England, and all appointments to act as curate therein, which shall hereafter be made, contrary to the provisions of this Act, shall be null and void.

VII. If any person shall officiate as priest or Deacon in any Church or Chapel in England contrary to the provisions of this Act, or if any Bishop, not being Bishop of a Diocese in England, shall perform episcopal functions in any such Church or Chapel, without the consent in writing of the Bishop of the Diocese, in which such Church or Chapel is situate, he shall, for every such offence, forfeit and pay the sum of ten pounds, to the Governors of Queen Anne's Bounty, to be recovered by action brought within six months after the commission of such offense by the Treasurer of the said Bounty in one of Her Majesty's Superior Courts of Common Law, and the incumbent or curate of any Church or Chapel, who shall knowingly allow such offense to be committed therein, shall be subject to a like penalty, to be recovered in the same manner.

VIII. Any person ordained a Priest or Deacon, in pursuance of such request and commission as are mentioned in an Act of the fifteenth and sixteenth years of Her present Majesty, chapter fifty-two, shall, for the purposes of this Act, be deemed to have been so ordained by the Bishop of a Diocese in England, and it shall not be necessary that the Bishop, to whom such commission shall have been given, should have exercised his office within Her Majesty's dominions, or by virtue of Her Majesty's Royal Letters Patent; Provided that such Bishop be a Bishop in communion with the Church of England, and such commission shall not become void by the death of the grantor until after seven days; Provided always that any such act of ordination by any such Bishop, as aforesaid, shall be subject to the same laws and provisions as to the titles, and as to the oaths and subscriptions of the persons to be ordained, and as to the registration of such Act, as if it had been performed by the Bishop of the Diocese, and that the letters of orders of any persons so ordained by any such Bishop shall be issued in the name of, and be subscribed with the signature of such Bishop as Commissary of the Bishop of

the Diocese, and shall be sealed with the seal of the Bishop of such Diocese.

IX. Any person ordained a Deacon or Priest, under the provisions of an Act of the second session of the twenty-fourth year of King George the Third, chapter thirty-five, or under the first section of an Act of the fifty-ninth year of King George the Third, chapter sixty, shall be subject to the provisions contained in this Act.

X. No admission, institution, induction or appointment to any benefice or other ecclesiastical preferment within Her Majesty's dominions, nor any appointment to act as curate therein, nor any ministerial act performed by any person as Priest or Deacon of any of the Churches aforesaid, shall be or be deemed to have been invalid at law by reason of its contrariety to any of the enactments set forth in Schedule B to this Act annexed, unless its validity shall be inconsistent with the validity of some Act, matter or thing lawfully done before the passing of this Act.

XI. Nothing in this Act contained shall alter or affect any of the provisions of an Act of the twenty-seventh and twenty-eighth years of Her present Majesty, chapter ninety-four, intituled "An Act to remove disabilities affecting the Bishops and Clergy of the Protestant Episcopal Church in Scotland."

XII. It shall be lawful for the Archbishop of Canterbury or the Archbishop of York, for the time being, in consecrating any person to the office of Bishop, for the purpose of exercising episcopal functions elsewhere than in England, to dispense, if he think fit, with the oath of due obedience to the Archbishop.

XIII. Nothing contained in an Act of the fifty-third year of King George the Third, chapter one hundred and fifty-five, or in an Act of the third and fourth years of King William the Fourth, chapter eighty-five, or in any letters-patent issued as mentioned in the said Acts or either of them, shall prevent any person, who shall be or shall have been Bishop of any Diocese in India, from performing episcopal functions not extending to the exercise of jurisdiction in any Diocese or reputed Diocese at the request of the Bishop thereof.

XIV. In this Act, the word "bishop" shall, when not inconsistent with the context, include Archbishop; the words "bishop" and "archbishop," in the matter of "permission" and "consent," and of "consent and license," shall include the lawful commissary of a Bishop or an Archbishop; the word "England" shall include the Isle of Man and the Channel Islands; and the term "church or chapel" shall mean Church or Chapel subject to the ecclesiastical law of the Church of England.

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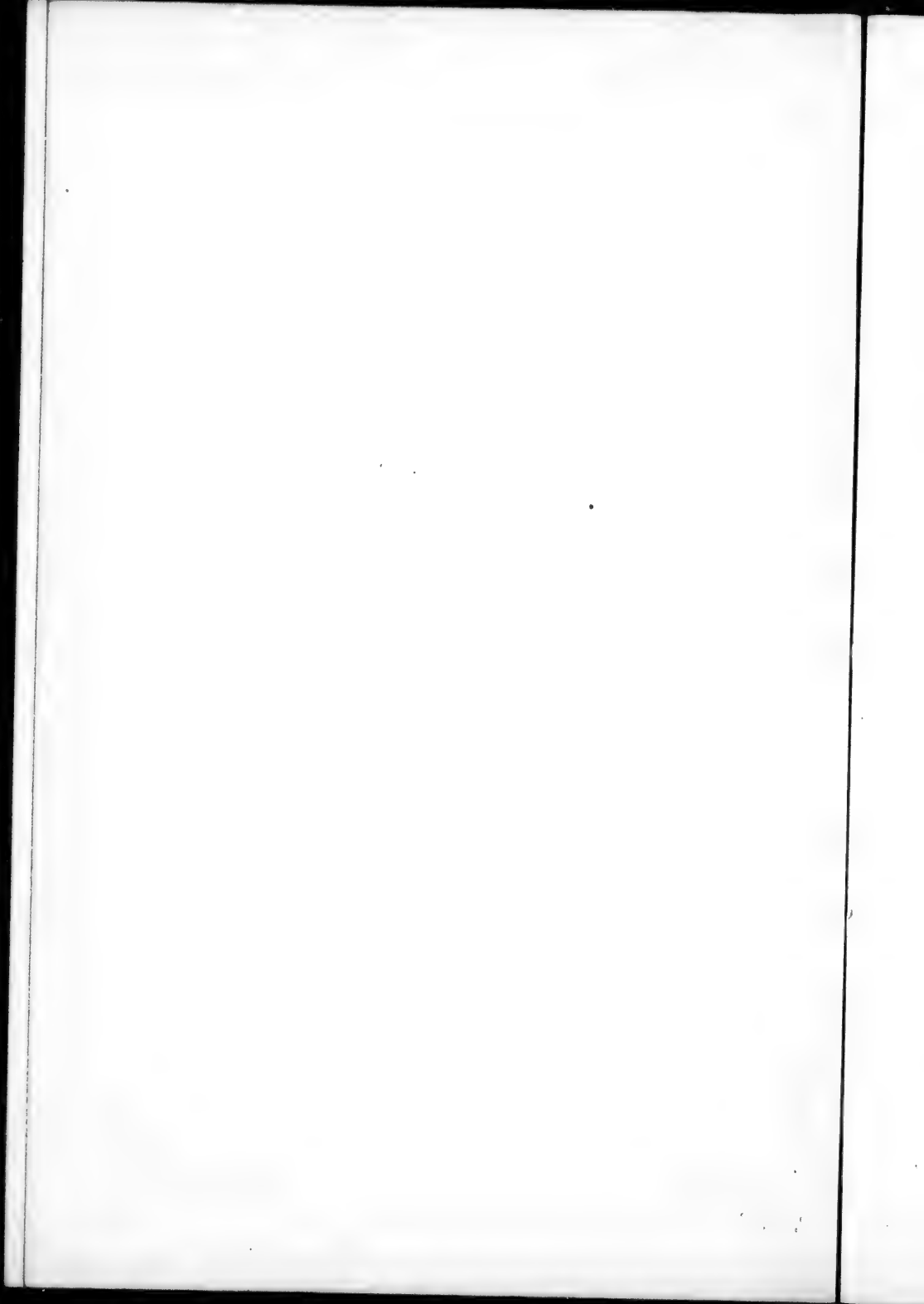
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•CONTENTS. •

PART I.

	PAGE.
1. The Officers of the Synod to 1885, inclusive.....	4
2. The Act of Incorporation of the Synod	5
3. The Declaration of the Synod.....	8
4. The Constitution of the Synod.....	10
5. The Rules of Order of the Synod.....	24
6. CANONS :	
1. On the Widows' and Orphans' Fund.....	27
2. On the Discipline of the Clergy.....	30
3. On Selling and Mortgaging Church Property.....	37
7. BY-LAWS :	
1. On the Clergy Commutation Trust Fund.....	39
2. On the Mission Fund.....	42
3. On Vestries in Free Churches.....	48
4. On Missionary Meetings.....	48
8. RESOLUTIONS :	
1. Respecting the Financial Year.....	50
2. " a Church Hymn Book.....	50
3. " Offertory at Evening Service.....	50
4. " Christmas Offertory.....	50
5. " Division of Toronto Diocesan Funds.....	51
6. " the Church Temporalities Act.....	52
7. " the Episcopal Endowment Fund.....	53
8. " Apportionment.....	55
9. " the Diocese of Algoma.....	57
10. " Quarterly and Special Collections.....	59
11. " Additional Missionary Work.....	59
12. " a Diocesan Church Library.....	59
13. " the Endowment of Parishes.....	60
14. " the Divinity Students' Fund.....	60
15. " Exchanges between Dioceses.....	60
16. " Religious teaching of the young.....	61
17. " Reports from Missionaries.....	62
18. " Temperance.....	62
19. " Fees.....	62
20. " a Diocesan Conference.....	63

TABLE OF CONTENTS.

	PAGE
21. Respecting the Reading of the Minutes	63
22. " Churches and Parsonages	63
23. " Travelling Expenses	64
24. " Parishioners removing	64
25. " a Day of Intercession	64
26. " Marriage with Deceased Wife's Sister	64
27. " Occasional Prayers	64
28. " Uniformity of Practice with regard to marriages	64
29. " the Widows' and Orphans' Fund	65
30. " the Perpetual Diaconate	66
31. " a Map of the Diocese	68
32. " the Bible in the Public Schools	68
33. " Claim on the Toronto Episcopal Endowment Fund	68
34. " the Central Board of Domestic Missions	69
35. " Uniformity in Public Worship	70
36. " the Sustentation Fund	70
37. " Trinity College Endowment	72
38. " Society of the Treasury of God	72

PART II.

PROVINCIAL SYNOD.

1. Declaration of British North American Bishops	73
2. Declaration of Canadian Bishops	81
3. Constitution of the Provincial Synod	83
4. Permanent Order of Proceedings of Provincial Synod	86
5. Order of Proceedings of the Lower House	87
6. Rules of Order	87
7. CANONS OF THE PROVINCIAL SYNOD.	
1. Election of the Metropolitan Bishop	91
2. Declaration of Submission to Canons	92
3. Powers of the Metropolitan	92
4. Trial of a Bishop	92
5. Court of Appeal of the Metropolitan	96
6. Ministering in Parishes	97
7. Letters Testimonial	98
8. Episcopal Resignations	98
9. Sub-division of Dioceses	98
10. The Officiating of Strange Clergymen in a Diocese	99
11. Missionary Bishops	99
12. Altering the order of the Public Service	100
Shortened form of Morning Prayer	102
" " Evening "	105

TABLE OF CONTENTS

13. Attention to the address of Henry Duke and his family	102
14. Death and Burial of the Duke	103
15. Commemoration of the Duke	105
16. Marriage of the Duke and his family	111
17. The Duke's family	118
18. The Duke's family	119
19. The Duke's family	121
20. The Duke's family	122

TABLE II

LIST OF TABLES

1. The Duke's family	125
2. The Duke's family	126
3. The Duke's family	127
4. The Duke's family	128
5. The Duke's family	129
6. The Duke's family	130
7. The Duke's family	131
8. The Duke's family	132
9. The Duke's family	133
10. The Duke's family	134
11. The Duke's family	135
12. The Duke's family	136
13. The Duke's family	137
14. The Duke's family	138
15. The Duke's family	139
16. The Duke's family	140
17. The Duke's family	141
18. The Duke's family	142
19. The Duke's family	143
20. The Duke's family	144

TABLE OF CONTENTS

21.	Beginning the Morning at the Temple	51
22.	Prayer in the Temple	52
23.	Temple of the Temple	53
24.	Temple of the Temple	54
25.	A Temple of the Temple	55
26.	Temple of the Temple	56
27.	Temple of the Temple	57
28.	Temple of the Temple	58
29.	Temple of the Temple	59
30.	Temple of the Temple	60
31.	Temple of the Temple	61
32.	Temple of the Temple	62
33.	Temple of the Temple	63
34.	Temple of the Temple	64
35.	Temple of the Temple	65
36.	Temple of the Temple	66
37.	Temple of the Temple	67
38.	Temple of the Temple	68

TABLE OF CONTENTS

1.	Introduction of the Temple	1
2.	Introduction of the Temple	2
3.	Introduction of the Temple	3
4.	Introduction of the Temple	4
5.	Introduction of the Temple	5
6.	Introduction of the Temple	6
7.	Introduction of the Temple	7
8.	Introduction of the Temple	8
9.	Introduction of the Temple	9
10.	Introduction of the Temple	10
11.	Introduction of the Temple	11
12.	Introduction of the Temple	12
13.	Introduction of the Temple	13
14.	Introduction of the Temple	14
15.	Introduction of the Temple	15
16.	Introduction of the Temple	16
17.	Introduction of the Temple	17
18.	Introduction of the Temple	18
19.	Introduction of the Temple	19
20.	Introduction of the Temple	20
21.	Introduction of the Temple	21
22.	Introduction of the Temple	22
23.	Introduction of the Temple	23
24.	Introduction of the Temple	24
25.	Introduction of the Temple	25
26.	Introduction of the Temple	26
27.	Introduction of the Temple	27
28.	Introduction of the Temple	28
29.	Introduction of the Temple	29
30.	Introduction of the Temple	30
31.	Introduction of the Temple	31
32.	Introduction of the Temple	32
33.	Introduction of the Temple	33
34.	Introduction of the Temple	34
35.	Introduction of the Temple	35
36.	Introduction of the Temple	36
37.	Introduction of the Temple	37
38.	Introduction of the Temple	38
39.	Introduction of the Temple	39
40.	Introduction of the Temple	40
41.	Introduction of the Temple	41
42.	Introduction of the Temple	42
43.	Introduction of the Temple	43
44.	Introduction of the Temple	44
45.	Introduction of the Temple	45
46.	Introduction of the Temple	46
47.	Introduction of the Temple	47
48.	Introduction of the Temple	48
49.	Introduction of the Temple	49
50.	Introduction of the Temple	50
51.	Introduction of the Temple	51
52.	Introduction of the Temple	52
53.	Introduction of the Temple	53
54.	Introduction of the Temple	54
55.	Introduction of the Temple	55
56.	Introduction of the Temple	56
57.	Introduction of the Temple	57
58.	Introduction of the Temple	58
59.	Introduction of the Temple	59
60.	Introduction of the Temple	60
61.	Introduction of the Temple	61
62.	Introduction of the Temple	62
63.	Introduction of the Temple	63
64.	Introduction of the Temple	64
65.	Introduction of the Temple	65
66.	Introduction of the Temple	66
67.	Introduction of the Temple	67
68.	Introduction of the Temple	68
69.	Introduction of the Temple	69
70.	Introduction of the Temple	70
71.	Introduction of the Temple	71
72.	Introduction of the Temple	72
73.	Introduction of the Temple	73
74.	Introduction of the Temple	74
75.	Introduction of the Temple	75
76.	Introduction of the Temple	76
77.	Introduction of the Temple	77
78.	Introduction of the Temple	78
79.	Introduction of the Temple	79
80.	Introduction of the Temple	80
81.	Introduction of the Temple	81
82.	Introduction of the Temple	82
83.	Introduction of the Temple	83
84.	Introduction of the Temple	84
85.	Introduction of the Temple	85
86.	Introduction of the Temple	86
87.	Introduction of the Temple	87
88.	Introduction of the Temple	88
89.	Introduction of the Temple	89
90.	Introduction of the Temple	90
91.	Introduction of the Temple	91
92.	Introduction of the Temple	92
93.	Introduction of the Temple	93
94.	Introduction of the Temple	94
95.	Introduction of the Temple	95
96.	Introduction of the Temple	96
97.	Introduction of the Temple	97
98.	Introduction of the Temple	98
99.	Introduction of the Temple	99
100.	Introduction of the Temple	100
101.	Introduction of the Temple	101
102.	Introduction of the Temple	102
103.	Introduction of the Temple	103
104.	Introduction of the Temple	104
105.	Introduction of the Temple	105

TABLE OF CONTENTS.

	iii. PAGE.
13. Alterations in or additions to Prayer Book and Scriptures..	107
14. Oaths and Subscription of the Clergy.....	107
15. Consecration of a Bishop	108
16. Marriages within Prohibited Degrees.....	111
17. Lay Readers.....	111
18. The Diaconate.....	112
19. Domestic and Foreign Missionary Society.....	112
20. Representation of the Diocese of Algoma.....	114

PART III.

ACTS OF PARLIAMENT.

1. The Church Temporalities Act, 1841.....	117
2. The Church Temporalities Amendment Act, 1866	123
3. Diocesan and Provincial Synods Act, 1856.....	125
4. Diocesan Synod Amendment Act, 1858.....	126
5. Church Society Incorporation Act, 1844.....	127
6. Church Society Amendment Act, 1865.....	132
7. An Act Respecting Rectories.....	133
8. Rectory Land Sales Act, 1866	134
9. Rectory Land Sales Amendment Act, 1866	136
10. Rectory Land Sales Amendment Act, 1876.....	137
11. Religious Institutions Act, 1877.....	138
12. Religious Institutions Act, 1878.....	145
13. Religious Institutions Act, 1879.....	145
14. Religious Institutions Act, 1882.....	146
15. Religious Institutions Act, 1886.....	148
16. Registration of Births, Marriages and Deaths	149
17. Registration of Deaths.....	151
18. Registration of Births, Marriages and Deaths, Amendment Act..	151
19. Solemnization of Marriages.....	153
20. Validity of Acts of Foreign Ordained Clergymen.....	156
21. Colonial and other Clergy.....	157